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<tr>
<th>LOG</th>
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<tbody>
<tr>
<td>193</td>
<td>0</td>
<td>Kelly, Trent</td>
<td>CHM</td>
<td>Registry of Tricare beneficiaries diagnosed with COVID-19</td>
</tr>
<tr>
<td>522</td>
<td>1</td>
<td>Kim, Andy</td>
<td>CHM</td>
<td>Public/Private Research and Development for alternative to PFAS-Free Fire Fighting Foam (AFFF)</td>
</tr>
<tr>
<td>536</td>
<td>1</td>
<td>Thornberry, Mac</td>
<td>CHM</td>
<td>Requirements Relating to Reports and Limitations on the Availability of Funds.</td>
</tr>
<tr>
<td>14</td>
<td>1</td>
<td>Bacon, Don</td>
<td>CHM</td>
<td>Directs assessments and certifications related to potential alternative uses for OC-135 aircraft before Air Force takes action to retire the aircraft.</td>
</tr>
<tr>
<td>125</td>
<td>1</td>
<td>Garamendi, John</td>
<td>CHM</td>
<td>Makes changes to the Section 1024 of the Chairman’s Mark. It adds a requirement that corrective and preventive maintenance for vessels already under contract be performed in the United States to the extent practicable, and defines corrective and preventive maintenance.</td>
</tr>
<tr>
<td>636</td>
<td>0</td>
<td>Thornberry, Mac</td>
<td>CHM</td>
<td>Strikes a construction review in Japan</td>
</tr>
<tr>
<td>192</td>
<td>1</td>
<td>Brooks, Mo</td>
<td>CHM</td>
<td>DRL requiring a briefing from USD(A&amp;S) on how DOD and the CMMC-AB plan to mitigate potential organizational conflicts of interest b/t contractors and third-party assessment organizations performing CMMC certifications.</td>
</tr>
<tr>
<td>58</td>
<td>0</td>
<td>Norcross, Donald</td>
<td>CHM</td>
<td>Creates a certified nursing assistant pilot program under TRICARE for a period of 18 months</td>
</tr>
<tr>
<td>106</td>
<td>1</td>
<td>Brown, Anthony G.</td>
<td>CHM</td>
<td>Requires a GAO report on the use of time-and-materials contracts and labor category minimums.</td>
</tr>
<tr>
<td>61</td>
<td>0</td>
<td>Norcross, Donald</td>
<td>CHM</td>
<td>Creates a 5 year demonstration project for an alternative work schedule for fire fighters across Navy Region Mid-Atlantic</td>
</tr>
<tr>
<td>69</td>
<td>1</td>
<td>Norcross, Donald</td>
<td>CHM</td>
<td>Requires a comment period for any limitations or prohibitions DOD may put on food or beverage ingredients provided to member of the Armed Forces or provided through a commissary store or dining facility.</td>
</tr>
<tr>
<td>5</td>
<td>1</td>
<td>Slotkin, Elissa</td>
<td>CHM</td>
<td>Amend Section 234 of the FY2020 NDAA to enhance the JROTC civics education program by requiring a focus on digital citizenship and media literacy tools.</td>
</tr>
<tr>
<td>542</td>
<td>1</td>
<td>Kelly, Trent</td>
<td>CHM</td>
<td>Transfer of verification of small business concerns owned and controlled by veterans or service-disabled veterans to the Small Business Administration.</td>
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<td>445</td>
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<td>Wilson, Joe</td>
<td>CHM</td>
<td>To provide assistance to small manufacturers in the defense industrial supply chain with improving cybersecurity</td>
</tr>
<tr>
<td>455</td>
<td>1</td>
<td>Luria, Elaine G.</td>
<td>CHM</td>
<td>Would modify the Navy Ship Depot Maintenance Report to include the execution of the planned schedule categorized by class of ship and the Secretary’s actions on GAO Report 20-370.</td>
</tr>
<tr>
<td>141</td>
<td>0</td>
<td>Gabbard, Tulsi</td>
<td>CHM</td>
<td>Awards a Distinguished Service Cross to Ramiro Olivo for acts of valor during the Vietnam War.</td>
</tr>
<tr>
<td>350</td>
<td>2</td>
<td>Banks, Jim</td>
<td>CHM</td>
<td>A report outlining a plan to continue the development of a transportable high-pressure waterjet system for the demilitarization of chemical and biological weapons and outlining a plan to fund waterjet technology systems for munitions located in deep water environments.</td>
</tr>
<tr>
<td>303</td>
<td>1</td>
<td>Larsen, Rick</td>
<td>CHM</td>
<td>To require a report on the risks of inadvertent escalation to nuclear war.</td>
</tr>
<tr>
<td>456</td>
<td>0</td>
<td>Golden, Jared F.</td>
<td>CHM</td>
<td>Amendment for small business equitable adjustment option for DoD construction contracts.</td>
</tr>
<tr>
<td>649</td>
<td>1</td>
<td>Escobar, Veronica</td>
<td>CHM</td>
<td>GAO Report on GSA e-commerce Portal Data Usage and Competition</td>
</tr>
<tr>
<td>462</td>
<td>3</td>
<td>Crow, Jason</td>
<td>CHM</td>
<td>This amendment is the bill text for the Protecting American Space Assets Act to require the President to develop a comprehensive space strategy.</td>
</tr>
</tbody>
</table>
AMENDMENT TO H.R. 6395
OFFERED BY MR. KELLY OF MISSISSIPPI

At the appropriate place in title VII, insert the following new section:

1 SEC. 7. REGISTRY OF TRICARE BENEFICIARIES DIAGNOSED WITH COVID–19.

(a) ESTABLISHMENT.—Not later than June 1, 2021, the Secretary of Defense shall establish and maintain a registry of TRICARE beneficiaries who have been diagnosed with COVID–19.

(b) CONTENTS.—The registry under subsection (a) shall include, with respect to each TRICARE beneficiary included in the registry, the following:

(1) The demographic information of the beneficiary.

(2) Information on the industrial or occupational history of the beneficiary, to the extent such information is available in the records regarding the COVID–19 diagnosis of the beneficiary.

(3) Administrative information regarding the COVID–19 diagnosis of the beneficiary, including the date of the diagnosis and the location and source of the test used to make the diagnosis.
(4) Any symptoms of COVID–19 manifested in the beneficiary.

(5) Any treatments for COVID–19 taken by the beneficiary, or other medications taken by the beneficiary, when the beneficiary was diagnosed with COVID–19.

(6) Any pathological data characterizing the incidence of COVID–19 and the type of treatment for COVID–19 provided to the beneficiary.

(7) Any other information determined appropriate by the Secretary.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on establishing the registry under subsection (a), including—

(1) a plan to implement the registry;

(2) the cost of implementing the registry;

(3) the location of the registry; and

(4) any recommended legislative changes with respect to establishing the registry.

(d) TRICARE BENEFICIARY DEFINED.—In this section, the term “TRICARE beneficiary” means the following:
(1) An individual covered by section 1074(a) of title 10, United States Code.

(2) A covered beneficiary (as defined in section 1072 of title 10, United States Code).
AMENDMENT TO H.R. 6395
OFFERED BY MR. KIM OF NEW JERSEY

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

SEC. 3. RESEARCH AND DEVELOPMENT OF ALTERNATIVE TO AQUEOUS FILM-FORMING FOAM.

(a) IN GENERAL.—The Secretary of Defense, acting through the National Institute of Standards and Technology and in consultation with appropriate stakeholders and manufactures, research institutions, and other Federal agencies shall award grants and carry out other activities to—

(1) promote and advance the research and development of additional alternatives to aqueous film-forming foam (in this section referred to as “AFFF”) containing per- and polyfluorooalkyl substances (in this section referred to as “PFAS”) to facilitate the development of a military specification and subsequent fielding of a PFAS-free fire-fighting foam;

(2) advance the use of green and sustainable chemistry for a fluorine-free alternative to AFFF;
2

(3) increase opportunities for sharing best practices within the research and development sector with respect to AFFF;

(4) assist in the testing of potential alternatives to AFFF; and

(5) provide guidelines on priorities with respect to an alternative to AFFF.

(b) ADDITIONAL REQUIREMENTS.—In carrying out the program required under subsection (a), the Secretary shall—

(1) take into consideration the different uses of AFFF and the priorities of the Department of Defense in finding an alternative;

(2) prioritize green and sustainable chemicals that do not pose a threat to public health or the environment; and

(3) use and leverage research from existing Department of Defense programs.

(c) REPORT.—The Secretary shall submit to Congress a report on—

(1) the priorities and actions taken with respect to finding an alternative to AFFF and the implementation of such priorities; and

(2) any alternatives the Secretary has denied, and the reason for any such denial.
(d) USE OF FUNDS.—This section shall be carried out using amounts authorized to be available for the Strategic Environmental Research and Development Program.
AMENDMENT TO H.R. 6395
OFFERED BY MR. THORNBERRY OF TEXAS

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

1 SEC. 8. REQUIREMENTS RELATING TO REPORTS AND LIMITATIONS ON THE AVAILABILITY OF FUNDS.

(a) LIMITATION ON THE AVAILABILITY OF FUNDS RELATING TO THE DEFENSE CIVILIAN TRAINING CORPS PROGRAM.—

(1) INITIAL PLAN AND SCHEDULE.—Beginning on October 1, 2020, if the Secretary of Defense has not submitted the plan and schedule to implement the Defense Civilian Training Corps program required under section 860(b)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1514; 10 U.S.C. 2200g note), not more than 25 percent of the funds specified in paragraph (3) may be obligated or expended until the date on which such plan and schedule has been submitted.

(2) EXPANSION PLAN AND SCHEDULE.—Beginning on January 1, 2021, if the Secretary of De-
fense has not submitted the expansion plan and
schedule relating to the Defense Civilian Training
Corps program required under section 860(b)(2) of
the National Defense Authorization Act for Fiscal
Year 2020 (Public Law 116–92; 133 Stat. 1514; 10
U.S.C. 2200g note), not more than 50 percent of the
funds specified in paragraph (3) may be obligated or
expended until the date on which such expansion
plan and schedule has been submitted.

(3) FUNDS SPECIFIED.—The funds specified in
this paragraph are the funds authorized to be appro-
priated by this Act or otherwise made available for
fiscal year 2021 for the Department of Defense for
the following:

(A) The immediate office of the Secretary
of Defense.

(B) The Office of the Under Secretary of
Defense for Personnel and Readiness.

(C) The Office of the Under Secretary of
Defense for Research and Engineering.

(D) The Office of the Under Secretary of
Defense for Acquisition and Sustainment.

(b) REPORT AND LIMITATION ON THE AVAILABILITY
OF FUNDS RELATING TO THE EXTRAMURAL ACQUISITION
INNOVATION AND RESEARCH ACTIVITIES.—
(1) REPORT.—Not later than October 1, 2020, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report—

(A) on the establishment of the extramural acquisition innovation and research activities required under section 2361a of title 10, United States Code (as added by section 835(a)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1494)); and

(B) that includes the name of the Director appointed under section 2361a(c) of such title (as added by section 835(a)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1494)).

(2) LIMITATION.—

(A) IN GENERAL.—Beginning on October 1, 2020, if the Under Secretary of Defense for Acquisition and Sustainment has not submitted the report required under paragraph (1), not more than 25 percent of the funds specified in subparagraph (B) may be obligated or expended until the date on which such report has been submitted.
(B) Funds specified.—The funds specified in this subparagraph are the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of Defense for the following:

(i) The immediate office of the Secretary of Defense.

(ii) The Office of the Under Secretary of Defense for Research and Engineering.

(iii) The Office of the Under Secretary of Defense for Acquisition and Sustainment.

(c) Report and limitation on the availability of funds relating to the eliminating the gaps and vulnerabilities in the national technology and industrial base.—

(1) Report.—Not later than October 1, 2020, the Secretary of Defense shall submit to the congressional defense committees the national security strategy for national technology and industrial base required by section 2501(a) of title 10, United States Code.

(2) Limitation.—

(A) In general.—Beginning on October 1, 2020, if the Secretary of Defense has not
submitted the report required under paragraph (1), not more than 25 percent of the funds specified in subparagraph (B) may be obligated or expended until the date on which such report has been submitted.

(B) Funds specified.—The funds specified in this subparagraph are the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of Defense for the following:

(i) The immediate office of the Secretary of Defense.

(ii) The Office of the Under Secretary of Defense for Acquisition and Sustainment.
AMENDMENT TO H.R. 6395
OFFERED BY MR. BACON OF NEBRASKA

At the appropriate place in title I, insert the following new section:

SEC. 1. ASSESSMENT AND CERTIFICATION RELATING TO OC–135 AIRCRAFT.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Air Force may be obligated or expended to retire, divest, realign, or place in storage or on backup aircraft inventory status, or prepare to retire, divest, realign, or place in storage or backup inventory status, any OC–135 aircraft until a period of 90 days has elapsed following the date on which the Secretary of the Air Force submits to the congressional defense committees—

(1) the report required under subsection (c); and

(2) the certification required under subsection (d).

(b) EXCEPTION.—The limitation in subsection (a) shall not apply to—
(1) individual OC–135 aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be no longer mission capable because of mishaps or other damage; or

(2) funds obligated or expended—

(A) for the preparation of the report required under subsection (c); or

(B) for the Air Force to assess options to repurpose the OC–135 aircraft to support other mission requirements.

(c) Report Required.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report that includes the following:

(1) Identification any unclassified aerial imagery requirements that the Air Force or Air National Guard can meet using the OC–135 aircraft, a version of the aircraft that is expected to replace the OC–135, or similar aerial imagery collection and processing capabilities.

(2) An assessment of the extent to which it is more appropriate for the Air Force or the Air National Guard to fulfill such requirements.
(3) A comparison of the costs and effectiveness of alternative means of meeting unclassified aerial imagery requirements.

(4) An assessment of the utility and cost differential of performing international treaty monitoring missions such as Olive Harvest with the OC–135 aircraft, a version of the aircraft that is expected to replace the OC–135, or similar aerial imagery collection and processing capabilities.

(d) CERTIFICATION REQUIRED.—Together with the report required under subsection (c), the Secretary of the Air Force shall certify to the congressional defense committees—

(1) whether there are unclassified aerial imagery requirements that the Air Force can meet with the OC–135 aircraft or a version of the aircraft that is expected to replace the OC–135; and

(2) whether the Secretary has identified methods of meeting such requirements that are more effective and more efficient than meeting such requirements through the use of the OC–135 aircraft or a version of the aircraft that is expected to replace the OC–135.

(e) UNCLASSIFIED AERIAL IMAGERY REQUIREMENTS DEFINED.—In this section, the term “unclassified aerial
imagery requirements” means requirements for the Air Force to provide responsive unclassified aerial imagery support to military forces, domestic civil authorities, other departments and agencies of the Federal Government, and foreign partners of the United States, including any requirements to provide unclassified aerial imagery in support of overseas contingency operations, humanitarian assistance and disaster relief missions, defense support to domestic civil authorities, and international treaty monitoring missions.
AMENDMENT TO H.R. 6395
OFFERED BY Mr. Garamendi

The section 2631 of title 10, United States Code, as proposed to be added by section 1024 of the bill, is amended by striking subsection (c) and inserting the following new subsection (c):

“(c) REQUIREMENTS FOR REFLAGGING OR REPAIR WORK.—(1) In each request for proposals to enter into a time-charter contract for the use of a vessel for the transportation of supplies under this section, the Secretary of Defense shall require that—

“(A) any reflagging or repair work on a vessel for which a proposal is submitted in response to the request for proposals be performed in the United States (including any territory of the United States); and

“(B) any corrective and preventive maintenance or repair work on a vessel under contract pursuant to this section relevant to the purpose of such contract be performed in the United States (including any territory of the United States) for the duration of the contract, to the greatest extent practicable.
“(2) The Secretary of Defense may waive a requirement under paragraph (1) if the Secretary determines that such waiver is critical to the national security of the United States. The Secretary shall immediately submit, in writing, to the appropriate congressional committees a notice of any waiver granted under this paragraph and the reasons for such waiver.

“(3) In this subsection:

“(A) The term ‘reflagging or repair work’ means work performed on a vessel—

“(i) to enable the vessel to meet applicable standards to become a vessel of the United States; or

“(ii) to convert the vessel to a more useful military configuration.

“(B) The term ‘corrective and preventive maintenance or repair’ means—

“(i) maintenance or repair actions performed as a result of a failure in order to return or restore equipment to acceptable performance levels; and

“(ii) scheduled maintenance or repair actions to prevent or discover functional failures.”.
Amendment to H.R. 6395
National Defense Authorization Act for Fiscal Year 2021

Offered by: Mr Thornberry (TX)

In the portion of the report to accompany H.R. 6395 titled “Title XXVIII – Military Construction General Provisions, Item of Special Interest”, strike the following item: “Futenma Replacement Facility, Okinawa”.

Amendment to H.R. 6395
National Defense Authorization Act for Fiscal Year 2021

Offered by: Rep. Mo Brooks (AL-05)

In the appropriate place in the report to accompany H.R. 6395, insert the following new Directive Report Language:

Cyber Maturity Model Certification

The committee notes that the Department of Defense is in the process of rolling out its Cybersecurity Maturity Model Certification (CMMC) requirements; incorporating the CMMC into the Defense Federal Acquisition Regulation Supplement; and using it as a requirement for government contract award that contain controlled unclassified information. The committee strongly supports the intent of the CMMC requirements, including increasing Department of Defense cybersecurity posture and protecting data and intellectual property within the defense industrial base from cyber attacks.

To ensure that proprietary information gleaned from CMMC assessments conducted by third-party institutions is protected, the committee seeks additional information on how the Department will work with the CMMC Accreditation Body (CMMC-AB) to protect non-public and proprietary information from the Defense Industrial Base (DIB) entities that have been assessed. Therefore, the committee directs the Under Secretary of Defense for Acquisition and Sustainment to provide a briefing to the House Committee on Armed Services not later than December 31, 2020 on the Department of Defense’s efforts to assist the community of third-party assessment organizations performing the CMMC certifications to secure non-public and proprietary information from DIB entities.
AMENDMENT TO H.R. 6395
OFFERED BY MR. NORCROSS OF NEW JERSEY

At the appropriate place in title VII, add the following new section:

SEC. 7. PILOT PROGRAM ON PARENTS SERVING AS CERTIFIED NURSING ASSISTANTS FOR CHILDREN UNDER TRICARE PROGRAM.

(a) Pilot Program.—The Director of the Defense Health Agency may carry out a pilot program under which an eligible parent serves as a certified nursing assistant under the TRICARE program with respect to providing personal care services to a covered child.

(b) Duration.—If the Director carries out the pilot program under subsection (a), the Director shall carry out the pilot program for a period of 18 months.

(c) Briefing.—If the Director carries out the pilot program under subsection (a), not later than one year after the date of the enactment of this Act, the Director shall provide to the congressional defense committees a briefing on the pilot program.

(d) Report.—If the Director carries out the pilot program under subsection (a), not later than 180 days after the date of the completion of the pilot program, the
Director shall submit to the congressional defense committees a report on the pilot program. The report shall include—

(1) the cost of the program;

(2) an analysis of whether the pilot program met established performance metrics;

(3) an analysis of whether the pilot program provided the standard of care to the patient that is required; and

(4) the recommendation of the Director regarding whether the pilot program should be made permanent.

(e) DEFINITIONS.—In this section:

(1) The term “covered child” means a covered beneficiary described in section 1072(2)(D) of title 10, United States Code, who—

(A) is the child of a member of the uniformed services serving on active duty; and

(B) is eligible for private duty nursing under the Extended Care Health Option under subsections (d) through (f) of section 1079 of such title.

(2) The term “eligible parent” means an individual who is—

(A) a certified nursing assistant; and
(B) the parent of a covered child.

(3) The term “personal care services” means personal care services prescribed by a medical doctor and provided by a certified nursing assistant under the supervision and guidance of a registered nurse case manager.

(4) The term “TRICARE program” has the meaning given that term in section 1072 of title 10, United States Code.
Amendment to H.R. 6395
National Defense Authorization Act for Fiscal Year 2021

Offered by: Mr. Brown of Maryland

In the appropriate place in the report to accompany H.R. 6395, insert the following new Directive Report Language:

GAO Report on Time-And-Materials and Labor Hour Contracts

The committee is concerned about the Department of Defense’s use of time-and-materials and labor hour contracts and the use of labor category minimums within these contracts. The committee recognizes that a time-and-materials contract is generally a riskier contract type for the government as it provides little incentive for the contractor to control costs. The committee notes that technologies such as artificial intelligence, smart devices, and other innovations are altering the appropriateness changing the consideration of such contracts in certain sectors, such as information technology, and that the current federal statute and regulations on their use and the associated requirement to use labor category minimums can restrict the ability of industry to offer the best value to the Department.

Therefore, the committee directs the Comptroller General of the United States to provide preliminary observations to the Committees on Armed Services of the Senate and the House of Representatives by February 28, 2021, on trends on the Department of Defense’s use of time-and-material and labor hour contracts, including the types of services acquired and the extent to which these contracts were awarded using procedures authorized under Part 12 of the Federal Acquisition Regulation.

The committee further directs the Comptroller General to submit a more comprehensive report to the congressional defense committees on a date agreed to at the time of the briefing. The report should include:

(1) a description of the federal and defense policies governing the use of time-and-material and labor-hour contracts, including the extent to which labor category minimums are required to be used in such contracts;
(2) an assessment as to whether and under what conditions the private sector uses time-and-material or labor-hour contracts in such as areas as
information technology services, cybersecurity services, audit or audit readiness services, health care services and records, telecommunications devices and services, or other knowledge-based professional services;
(3) an assessment on the feasibility of substituting private sector experience for educational requirements in Department of Defense contracts and any other improvements that can be made to the minimum requirements in labor categories;
(4) recommendations, as appropriate, on whether changes to Department of Defense policy regarding time-and-materials and labor hour contracts, including actions to limit or restrict award of such contracts, especially when utilizing Federal Acquisition Regulation Part 12 procedure, are warranted; and
(5) any other matters determined by the Comptroller General as appropriate.
AMENDMENT TO H.R. 6395
OFFERED BY MR. NORCROSS OF NEW JERSEY

At the end of title XI, add the following:

SEC. 11. FIRE FIGHTERS ALTERNATIVE WORK SCHEDULE DEMONSTRATION PROJECT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commander, Navy Region Mid-Atlantic, shall establish and carry out, for a period of not less than 5 years, a Fire Fighters Alternative Work Schedule demonstration project for the Navy Region Mid-Atlantic Fire and Emergency Services. Such demonstration project shall provide, with respect to each Services employee, that—

(1) assignments to tours of duty are scheduled in advance over periods of not less than two weeks;

(2) tours of duty are scheduled using a regularly recurring pattern of 48-hour shifts followed by 48 or 72 consecutive non-work hours, as determined by mutual agreement between the Navy Region Mid-Atlantic and the exclusive employee representative at each Navy Region Mid-Atlantic Installation, in such a manner that each employee is regularly scheduled for 144-hours in any two-week period;
(3) for any such employee that is a fire fighter
working an alternative work schedule, such employee
shall earn overtime compensation in a manner con-
sistent with other applicable law and regulation;

(4) no right shall be established to any form of
premium pay, including night, Sunday, holiday, or
hazard duty pay; and

(5) leave accrual and use shall be consistent
with other applicable law and regulation.

(b) REPORT.—Not later than 180 days following the
end of such demonstration project, the Commander, Navy
Region Mid-Atlantic, shall submit a report to the Commit-
tees on Armed Services of the House of Representatives
and the Senate detailing—

(1) any financial savings or expenses directly
and inseparably linked to the demonstration project;

(2) any intangible quality of life and morale im-
provements achieved by the demonstration project;

and

(3) any adverse impact of the demonstration
project occurring solely as the result of the transi-
tion to the demonstration project.
AMENDMENT TO H.R. 6395
OFFERED BY MR. NORCROSS OF NEW JERSEY

At the appropriate place in title XVII, insert the following new section:

SEC. 17. NOTICE AND COMMENT FOR PROPOSED ACTIONS OF THE SECRETARY OF DEFENSE RELATING TO FOOD AND BEVERAGE INGREDIENTS.

(a) NOTICE AND COMMENT.—Before promulgating any service-wide or Department-wide final rule, statement, or determination relating to the limitation or prohibition of an ingredient in a food or beverage item provided to members of the Armed Forces by the Department of Defense (including an item provided through a commissary store, a dining facility on a military installation, or a military medical treatment facility), the Secretary of Defense shall—

(1) publish in the Federal Register a notice of the proposed rule, statement, or determination (in this section referred to as a “proposed action”); and

(2) provide interested persons an opportunity to submit public comments with respect to the proposed action.
(b) Matters to Be Included in Notice.—The Secretary shall include in any notice published under subsection (a)(2) the following:

1. A summary of the notice.
2. The date of publication of the notice.
3. The contact information for the office of the Department of Defense responsible for the proposed action.
4. The deadline for comments to be submitted with respect to the proposed action and a description of the method to submit such comments.
5. A description of the proposed action.
6. Findings and a statement of reason supporting the proposed action.

(c) Waiver Authority.—The Director of the Defense Logistics Agency may waive subsections (a) and (b) if the Director determines such waiver is necessary for military operations or for the response to a national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.), a medical emergency, or a pandemic.

(d) Reports.—

1. Reports.—On a quarterly basis, the Director of the Defense Logistics Agency shall submit to the congressional defense committees a report co-
containing an identification of any waiver under subsection (c) issued or in effect during the quarter preceding submission of the report.

(2) MATTERS.—A report under paragraph (1) shall include, with respect to each waiver identified, the following:

(A) The date, time, and location of the issuance of such waiver.

(B) A detailed justification for the issuance of such waiver.

(C) An identification of the rule, statement, or determination for which the Director issued such waiver, including the proposed duration of such rule, statement, or determination.
AMENDMENT TO H.R. 6395
OFFERED BY MS. SLOTKIN OF MICHIGAN

At the appropriate place in title II, insert the following new section:

SEC. 2. MODIFICATION OF PILOT PROGRAM ON ENHANCED CIVICS EDUCATION.

(a) IN GENERAL.—Section 234 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2164 note) is amended—

(1) in subsection (e)(1)—

(A) in subparagraph (H), by striking “and” at the end; and

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

“(J) the improvement of critical thinking and media literacy among students, including the improvement of students’ abilities with respect to—

“(i) research and information fluency;

“(ii) critical thinking and problem solving skills;

“(iii) technology operations and concepts;
“(iv) information and technological literacy;

“(v) understanding of the importance of obtaining information from multiple media sources and evaluating sources for quality; and

“(vi) understanding how information on digital platforms can be altered through algorithms, editing, and augmented reality; and”; and

(2) in subsection (g), by adding at the end the following new paragraph:

“(3) The term ‘media literacy’ means the ability to—

“(A) access relevant and accurate information through media in a variety of forms;

“(B) critically analyze media content and the influences of different forms of media;

“(C) evaluate the comprehensiveness, relevance, credibility, authority, and accuracy of information;

“(D) make educated decisions based on information obtained from media and digital sources;”.
(b) **Deadline for Implementation.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall implement the pilot program under section 234 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2164 note), as amended by subsection (a).

(c) **Progress Report.**—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the efforts of Secretary to implement the pilot program under section 234 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2164 note), as amended by subsection (a).
AMENDMENT TO H.R. 6395
OFFERED BY MR. KELLY OF MISSISSIPPI

Add at the appropriate place in title VIII the following new section:

SEC. 8. TRANSFER OF VERIFICATION OF SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY VETERANS OR SERVICE-DISABLED VETERANS TO THE SMALL BUSINESS ADMINISTRATION.

(a) TRANSFER DATE.—For purposes of this section, the term “transfer date” means the date that is 2 years after the date of enactment of this section, except that such date may be extended an unlimited number of times by a period of not more than 6 months if the Administrator of the Small Business Administration and the Secretary of Veterans Affairs jointly issue a notice to Congress and the Law Revision Counsel of the House of Representatives containing—

(1) a certification that such extension is necessary;

(2) the rationale for and the length of such extension; and
(3) a plan to comply with the requirements of this section within the timeframe of the extension.

(b) Amendment to and Transfer of Veteran-owned and Service-disabled Veteran-owned Business Database.—

(1) Amendment of veteran-owned and service-disabled veteran-owned business database.—Effective on the transfer date, section 8127 of title 38, United States Code, is amended—

(A) in subsection (e)—

(i) by striking “the Secretary” and inserting “the Administrator”; and

(ii) by striking “subsection (f)” and inserting “section 36 of the Small Business Act”;

(B) in subsection (f)—

(i) by striking “the Secretary” each place such term appears, other than in the last place such term appears under paragraph (2)(A), and inserting “the Administrator”;

(ii) in paragraph (1), by striking “small business concerns owned and controlled by veterans with service-connected disabilities” each place such term appears
and inserting “small business concerns owned and controlled by service-disabled veterans”;

(iii) in paragraph (2)—

(I) in subparagraph (A), by striking “to access” and inserting “to obtain from the Secretary of Veterans Affairs”; and

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

“(B) For purposes of this subsection—

“(i) the Secretary of Veterans Affairs shall—

“(I) verify an individual’s status as a veteran or a service-disabled veteran; and

“(II) establish a system to permit the Administrator to access, but not alter, such verification; and

“(ii) the Administrator shall verify—

“(I) the status of a business concern as a small business concern; and

“(II) the ownership and control of such business concern.

“(C) The Administrator may not certify a concern under subsection (b) or section 36A if the Secretary of
Veterans Affairs cannot provide the verification described under subparagraph (B)(i)(I).”;

(iv) by striking paragraphs (4) and (7);

(v) by redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively, and redesignating paragraph (8) as paragraph (6);

(vi) in paragraph (4), as so redesignated, by striking “The Secretary” and inserting “The Administrator”; and

(vii) in paragraph (6), as so redesignated—

(I) in subparagraph (A)—

(aa) by striking “verify the status of the concern as a small business concern or the ownership or control of the concern” and inserting “certify the status of the concern as a small business concern owned and controlled by veterans (under section 36A) or a small business concern owned and controlled by service-
disabled veterans (under section 36(g))”; and

(bb) by striking “verification” and inserting “certification”; 

(II) in subparagraph (B)—

(aa) in clause (i), by striking “small business concern owned and controlled by veterans with service-connected disabilities” and inserting “small business concern owned and controlled by service-disabled veterans”; and 

(bb) in clause (ii)—

(AA) by amending subclause (I) to read as follows:

“(I) the Secretary of Veterans Affairs or the Administrator; or”; and

(BB) in subclause (II), by striking “the contracting officer of the Department” and inserting “the applicable contracting officer”; and

(III) by striking subparagraph (C);
(C) by redesignating subsection (k) (relating to definitions) as subsection (l);

(D) by inserting after subsection (j) (relating to annual reports) the following:

“(k) ANNUAL TRANSFER FOR CERTIFICATION COSTS.—For each fiscal year, the Secretary of Veterans Affairs shall reimburse the Administrator in an amount necessary to cover any cost incurred by the Administrator for certifying small business concerns owned and controlled by veterans that do not qualify as small business concerns owned and controlled by service-disabled veterans for the Secretary for purposes of this section and section 8128 of this title. The Administrator is authorized to accept such reimbursement. The amount of any such reimbursement shall be determined jointly by the Secretary and the Administrator and shall be provided from fees collected by the Secretary under multiple-award schedule contracts. Any disagreement about the amount shall be resolved by the Director of the Office of Management and Budget.”; and

(E) subsection (l) (relating to definitions), as so redesignated, by adding at the end the following:

“(4) The term Administrator means the Administrator of the Small Business Administration.”.
(2) Transfer of requirements relating to database to the Small Business Act.—Effective on the transfer date, subsection (f) of section 8127 of title 38, United States Code (as amended by paragraph (1)), is transferred to section 36 of the Small Business Act (15 U.S.C. 657f), inserted so as to appear after subsection (e).

(3) Conforming amendments.—The following amendments shall take effect on the transfer date:


(B) Title 38.—Section 8128 of title 38, United States Code, is amended by striking “section 8127(f) of this title” and inserting “section 36 of the Small Business Act”.

(e) Additional requirements for database.—

(1) Administration access to database before the transfer date.—During the period between the date of the enactment of this section and the transfer date, the Secretary of Veterans Affairs shall provide the Administrator of the Small Busi-
ness Administration with access to the contents of
the database described under section 8127(f) of title
38, United States Code.

(2) RULE OF CONSTRUCTION.—Nothing in this
section or the amendments made by this section may
be construed—

(A) as prohibiting the Administrator of the
Small Business Administration from combining
the contents of the database described under
section 8127(f) of title 38, United States Code,
with other databases maintained by the Admin-
istration; or

(B) as requiring the Administrator to use
any system or technology related to the data-
base described under section 8127(f) of title 38,
United States Code, on or after the transfer
date to comply with the requirement to main-
tain a database under subsection (f) of section
36 of the Small Business Act (as transferred
pursuant to subsection (b)(2) of this section).

(3) RECOGNITION OF THE ISSUANCE OF JOINT
REGULATIONS.—The date specified under section
1832(e) of the National Defense Authorization Act
for Fiscal Year 2017 (15 U.S.C. 632 note) shall be
deemed to be October 1, 2018.
(d) PROCUREMENT PROGRAM FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—

(1) PROCUREMENT PROGRAM FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—Section 36 of the Small Business Act (15 U.S.C. 657f) is amended—

(A) by striking subsections (d) and (e);

(B) by redesignating subsections (a), (b), and (c) as subsections (c), (d), and (e) respectively;

(C) by inserting before subsection (c), as so redesignated, the following:

“(a) CONTRACTING OFFICER DEFINED.—For purposes of this section, the term ‘contracting officer’ has the meaning given such term in section 2101 of title 41, United States Code.

“(b) CERTIFICATION OF SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—With respect to a procurement program or preference established under this Act that applies to prime contractors, the Administrator shall—

“(1) certify the status of the concern as a ‘small business concern owned and controlled by service-disabled veterans’; and
“(2) require the periodic recertification of such status.”;

(D) in subsection (d), as so redesignated, by striking “and that the award can be made at a fair market price” and inserting “, that the award can be made at a fair market price, and if each concern is certified by the Administrator as a small business concern owned and controlled by service-disabled veterans”; and

(E) by adding at the end the following:

“(g) Certification Requirement.—Notwithstanding subsection (c), a contracting officer may only award a sole source contract to a small business concern owned and controlled by service-disabled veterans or a contract on the basis of competition restricted to small business concerns owned and controlled by service-disabled veterans if such a concern is certified by the Administrator as a small business concern owned and controlled by service-disabled veterans.

“(h) Enforcement; Penalties.—

“(1) Verification of Eligibility.—In carrying out this section, the Administrator shall establish procedures relating to—

“(A) the filing, investigation, and disposition by the Administration of any challenge to
the eligibility of a small business concern to receive assistance under this section (including a challenge, filed by an interested party, relating to the veracity of a certification made or information provided to the Administration by a small business concern under subsection (b));

and

“(B) verification by the Administrator of the accuracy of any certification made or information provided to the Administration by a small business concern under subsection (b).

“(2) EXAMINATIONS.—

“(A) EXAMINATION OF APPLICANTS.—The procedures established under paragraph (1) shall provide for a program of examinations by the Administrator of any small business concern making a certification or providing information to the Administrator under subsection (b), to determine the veracity of any statements or information provided as part of such certification or otherwise provided under subsection (b).

“(B) EXAMINATION OF CERTIFIED CONCERNS.—The procedures established under paragraph (1) shall provide for the examination of risk-based samples of small business con-
cerns certified under subsection (b), or of any small business concern that the Administrator believes poses a particular risk or with respect to which the Administrator receives specific and credible information alleging that the small business concern no longer meets eligibility requirements to be certified as a small business concern owned and controlled by service-disabled veterans.

“(3) PENALTIES.—In addition to the penalties described in section 16(d), any small business concern that is determined by the Administrator to have misrepresented the status of that concern as a small business concern owned and controlled by service-disabled veterans for purposes of subsection (b), shall be subject to—

“(A) section 1001 of title 18, United States Code;

“(B) sections 3729 through 3733 of title 31, United States Code; and

“(C) section 8127(g) of title 38, United States Code.

“(i) PROVISION OF DATA.—Upon the request of the Administrator, the head of any Federal department or agency shall promptly provide to the Administrator such
information as the Administrator determines to be necessary to carry out subsection (b) or to be able to certify the status of the concern as a small business concern owned and controlled by veterans under section 36A.”.

(2) **Penalties for Misrepresentation.**—

Section 16 of the Small Business Act (15 U.S.C. 645) is amended—

(A) in subsection (d)(1)—

(i) by striking “, a” and inserting “,
a ‘small business concern owned and controlled by service-disabled veterans’, a ‘small business concern owned and controlled by veterans’, a”; and

(ii) in paragraph (A), by striking “9, 15, or 31” and inserting “8, 9, 15, 31, 36, or 36A”; and

(B) in subsection (e), by striking “, a” and inserting “, a ‘small business concern owned and controlled by service-disabled veterans’, a ‘small business concern owned and controlled by veterans’, a”.

(c) **Certification for Small Business Concerns Owned and Controlled by Veterans.**—The Small Business Act (15 U.S.C. 631 et seq.) is amended by inserting after section 36 the following new section:
"SEC. 36A. CERTIFICATION OF SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY VETERANS.

“(a) IN GENERAL.—With respect to the program established under section 8127 of title 38, United States Code, the Administrator shall—

“(1) certify the status of the concern as a ‘small business concern owned and controlled by veterans’; and

“(2) require the periodic recertification of such status.

“(b) ENFORCEMENT; PENALTIES.—

“(1) VERIFICATION OF ELIGIBILITY.—In carrying out this section, the Administrator shall establish procedures relating to—

“(A) the filing, investigation, and disposition by the Administration of any challenge to the eligibility of a small business concern to receive assistance under this section (including a challenge, filed by an interested party, relating to the veracity of a certification made or information provided to the Administration by a small business concern under subsection (a)); and

“(B) verification by the Administrator of the accuracy of any certification made or infor-
information provided to the Administration by a small business concern under subsection (a).

“(2) EXAMINATION OF APPLICANTS.—The procedures established under paragraph (1) shall provide for a program of examinations by the Administrator of any small business concern making a certification or providing information to the Administrator under subsection (a), to determine the veracity of any statements or information provided as part of such certification or otherwise provided under subsection (a).

“(3) PENALTIES.—In addition to the penalties described in section 16(d), any small business concern that is determined by the Administrator to have misrepresented the status of that concern as a small business concern owned and controlled by veterans for purposes of subsection (a), shall be subject to—

“(A) section 1001 of title 18, United States Code;

“(B) sections 3729 through 3733 of title 31, United States Code; and

“(C) section 8127(g) of title 38, United States Code.”.
(f) Status of Self-certified Small Business Concerns Owned and Controlled by Service-disabled Veterans.—

(1) In General.—Notwithstanding any other provision of law, any small business concern that self-certified as a small business concern owned and controlled by service-disabled veterans shall—

(A) if the concern files a certification application with the Administrator of the Small Business Administration before the end of the 1-year period beginning on the transfer date, maintain such self-certification until the Administrator makes a determination with respect to such certification; and

(B) if the concern does not file such a certification application before the end of the 1-year period beginning on the transfer date, lose, at the end of such 1-year period, any self-certification of the concern as a small business concern owned and controlled by service-disabled veterans.

(2) Non-applicability to Department of Veterans Affairs.—Paragraph (1) shall not apply to participation in contracts (including subcontracts) with the Department of Veterans Affairs.
(3) NOTICE.—The Administrator shall notify any small business concern that self-certified as a small business concern owned and controlled by service-disabled veterans about the requirements of this section, including the transfer date and any extension of such transfer date made pursuant to subsection (a), and make such notice publicly available, on—

(A) the date of the enactment of this section; and

(B) the date on which an extension described under subsection (a) is approved.

(g) TRANSFER OF THE CENTER FOR VERIFICATION AND EVALUATION OF THE DEPARTMENT OF VETERANS AFFAIRS TO THE SMALL BUSINESS ADMINISTRATION.—

(1) ABOLISHMENT.—The Center for Verification and Evaluation of the Department of Veterans Affairs defined under section 74.1 of title 38, Code of Federal Regulations, is abolished effective on the transfer date.

(2) TRANSFER OF FUNCTIONS.—All functions that, immediately before the effective date of this subsection, were functions of the Center for Verification and Evaluation shall—
(A) on the date of enactment of this section, be functions of both the Center for Verification and Evaluation and the Small Business Administration, except that the Small Business Administration shall not have any authority to carry out any verification functions of the Center for Verification and Evaluation; and

(B) on the transfer date, be functions of the Small Business Administration.

(3) Transfer of assets.—So much of the personnel, property, and records employed, used, held, available, or to be made available in connection with a function transferred under this subsection shall be available to the Small Business Administration at such time or times as the President directs for use in connection with the functions transferred.

(4) References.—Any reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or pertaining to a function of the Center for Verification and Evaluation that is transferred under this section is deemed, after the transfer date, to refer to the Small Business Administration.

(h) Report.—Not later than the end of the 1-year period beginning on the date of the enactment of this sec-
tion and every 6 months thereafter until the transfer date, the Administrator of the Small Business Administration and Secretary of Veterans Affairs shall jointly issue a report to the Committees on Appropriations, Small Business, and Veterans’ Affairs of the House of Representa-
tives and the Committees on Appropriations, Small Business and Entrepreneurship, and Veterans’ Affairs of the Senate on the planning for the transfer of functions and property required under this section and the amendments made by this section on the transfer date. Such report shall include—

(1) whether and how the verification database and operations of the Center for Verification and Evaluation of the Department of Veterans Affairs will be incorporated into the existing certification database of the Small Business Administration;

(2) projections for the numbers and timing, in terms of fiscal year, of—

(A) already verified concerns that will come up for recertification; and

(B) self-certified concerns that are expected to apply for certification;

(3) an explanation of how outreach to veteran service organizations, the service-disabled veteran-
owned and veteran-owned small business community, and other stakeholders will be conducted; and
(4) other pertinent information determined by the Administrator and the Secretary.
AMENDMENT TO H.R. 6395
OFFERED BY MR. WILSON OF SOUTH CAROLINA

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

SEC. 16. ASSISTANCE FOR SMALL MANUFACTURERS IN THE DEFENSE INDUSTRIAL SUPPLY CHAIN ON MATTERS RELATING TO CYBERSECURITY.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary of Defense, in consultation with the Director of the National Institute of Standards and Technology, may award financial assistance to a Center for the purpose of providing cybersecurity services to small manufacturers.

(b) CRITERIA.—If the Secretary carries out subsection (a), the Secretary, in consultation with the Director, shall establish and publish on the grants.gov website, or successor website, criteria for selecting recipients for financial assistance under this section.

(c) USE OF FINANCIAL ASSISTANCE.—Financial assistance under this section—

(1) shall be used by a Center to provide small manufacturers with cybersecurity services relating to—
(A) compliance with the cybersecurity requirements of the Department of Defense Supplement to the Federal Acquisition Regulation, including awareness, assessment, evaluation, preparation, and implementation of cybersecurity services; and 

(B) achieving compliance with the Cybersecurity Maturity Model Certification framework of the Department of Defense; and

(2) may be used by a Center to employ trained personnel to deliver cybersecurity services to small manufacturers.

(d) BIENNIAL REPORTS.—

(1) IN GENERAL.—Not less frequently than once every two years, the Secretary shall submit to the congressional defense committees, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science, Space, and Technology of the House of Representatives a biennial report on financial assistance awarded under this section.

(2) CONTENTS.—To the extent practicable, each report submitted under paragraph (1) shall include the following with respect to the years covered by the report:
(A) The number of small manufacturing companies assisted.

(B) A description of the cybersecurity services provided.

(C) A description of the cybersecurity matters addressed.

(D) An analysis of the operational effectiveness and cost-effectiveness of the cybersecurity services provided.

(e) TERMINATION.—The authority of the Secretary to award of financial assistance under this section shall terminate on the date that is five years after the date of the enactment of this Act.

(f) DEFINITIONS.—In this section:

(1) The term “Center” has the meaning given such term in section 25(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(a)).

(2) The term “small manufacturer” has the meaning given that term in section 1644(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2224 note).
AMENDMENT TO H.R. 6395
OFFERED BY MRS. LURIA OF VIRGINIA

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

SEC. 3. ADDITIONAL ELEMENTS FOR INCLUSION IN
NAVY SHIP DEPOT MAINTENANCE BUDGET
REPORT.

Section 363(b) of the National Defense Authorization
Act for Fiscal Year 2020 (Public Law 116–92) is amended
by adding at the end the following new paragraphs:

“(6) The execution of the planned schedule,
categorized by class of ship, for each of the three
preceding fiscal years, including—

“(A) the actual contract award compared
to the milestone;

“(B) the planned completion date com-
pared to the actual completion date; and

“(C) each regional maintenance center’s
availability schedule performance for on-time
availability completion.

“(7) In accordance with the findings of the
Government Accountability Office (GAO 20-370)—
“(A) in 2021, an analysis plan for the evaluation of pilot program availabilities funded by the Other Procurement, Navy account; and

“(B) in 2022, a report on the Navy’s progress implementing such analysis plan.”
AMPENDMENT TO H.R. 6395
OFFERED BY MS. GABBARD OF HAWAI

At the appropriate place in title V, insert the following new section:

SEC. 5. AUTHORIZATION FOR AWARD OF THE DISTINGUISHED-SERVICE CROSS FOR RAMIRO F. OLIVO FOR ACTS OF VALOR DURING THE VIETNAM WAR.

(a) AUTHORIZATION.—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the United States Armed Forces, the President of the United States is authorized to award the Distinguished-Service Cross under section 7272 of such title to Ramiro F. Olivo for the acts of valor during the Vietnam War described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor described in this subsection are the actions of Ramiro F. Olivo on May 9, 1968, as a member of the Army while serving in the Republic of Vietnam with Company C, 1st Battalion, 5th Cavalry Regiment, 1st Cavalry Division.
Amendment to H.R. 6395
National Defense Authorization Act for Fiscal Year 2021

Offered by: Mr. Jim Banks of Indiana

In the appropriate place in the report to accompany H.R. 6395, insert the following new Directive Report Language:

*Report on waterjet demilitarization technology*

The committee remains concerned that insufficient attention has been placed on the development of technology to safely demilitarize chemical or biological weapons in situ as today the detonation of these weapons is not always feasible without dispersing the agents. The committee understands high pressure waterjet technology systems have proven their capability to safely demilitarize munitions on land and have demonstrated the ability to demilitarize munitions in shallow water. Despite this, the committee remains concerned that munitions in waters greater than 120 feet pose a threat that has not been addressed. Therefore, the committee directs the Secretary of Defense to provide a report to the congressional defense committees no later than January 31st 2021 outlining a plan to continue the development and implementation of a fully integrated transportable high-pressure waterjet system for the demilitarization of chemical and biological weapons and to further fund waterjet technology systems for the removal of constituents in munitions located in deep water environments.
AMENDMENT TO H.R. 6395
OFFERED BY MR. LARSEN OF WASHINGTON

At the appropriate place in subtitle D of title XVI, insert the following new section:

SEC. 16. REPORT ON CONSIDERATION OF RISKS OF INADVERTENT ESCALATION TO NUCLEAR WAR.

(a) REPORT.—Not later than January 31, 2021, the Under Secretary of Defense for Policy shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report—

(1) detailing the efforts of the Department of Defense with respect to developing and implementing guidance to ensure that the risks of inadvertent escalation to a nuclear war are considered within the decision-making processes of the Department regarding relevant activities (such as developing contingency plans, managing military crises and conflicts, and supporting the Department of State in the development, negotiation, and implementation of cooperative risk-reduction measures); and

(2) identifying the capabilities and factors taken into account in developing such guidance.
(b) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

c) BRIEFING.—Not later than December 1, 2020, the Under Secretary shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the progress and findings made in carrying out subsection (a).
AMENDMENT TO H.R. 6395
OFFERED BY MR. GOLDEN OF MAINE

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

1 SEC. 8. EQUITABLE ADJUSTMENTS TO CERTAIN CONSTRUCTION CONTRACTS.

2 The Small Business Act (15 U.S.C. 631 et seq.) is amended by inserting after section 15 the following new section:

6 SEC. 15A. EQUITABLE ADJUSTMENTS TO CONSTRUCTION CONTRACTS.

8 “(a) Request for an Equitable Adjustment.—

9 A small business concern performing a construction contract that was awarded by an agency may submit a request for an equitable adjustment to the contracting officer of such agency if the contracting officer directs a change in the work within the general scope of the contract without the agreement of the small business concern.

15 Such request shall—

16 “(1) be timely made pursuant to the terms of the contract; and

18 “(2) comply with Federal regulations regarding equitable adjustments, including specifying addi-
tional costs resulting from such change in the work within the general scope of the contract.

“(b) AMOUNT.—Upon receipt of a request for equitable adjustment under subsection (a), the agency shall provide to the small business concern an interim partial payment in an amount that is at least 50 percent of the costs identified in the request for equitable adjustment under subsection (a)(2).

“(c) LIMITATION.—Any interim partial payment made under this section shall not be deemed to be an action to definitize the request for an equitable adjustment.

“(d) FLOW-DOWN OF INTERIM PARTIAL PAYMENT AMOUNTS.—A small business concern that requests an equitable adjustment under this section shall pay to a first tier subcontractor or supplier the portion of the interim partial payment received that is attributable to the increased costs of performance incurred by the first tier subcontractor or supplier due to the change in the work within the general scope of the contract. A subcontractor or supplier at any tier that receives a portion of an interim partial payment under this section shall pay its subcontractor or supplier the appropriate portion of such payment.”.

(b) IMPLEMENTATION.—The Administrator of the Small Business Administration shall implement the re-
requirements of this section not later than the first day of the first full fiscal year beginning after the date of the enactment of this Act.
Amendment to H.R. 6395
National Defense Authorization Act for Fiscal Year 2021

Offered by Rep. Escobar of Texas

In the appropriate place in the report to accompany H.R. 6395, insert the following new Directive Report Language:

GAO Report on GSA E-commerce Portal Data Usage

The House Armed Services Committee directs the Comptroller General to submit a report to the committee by January 31st, 2021 on compliance with subsection (h) of section 846 of the National Defense Authorization Act of Fiscal Year 2018 (Public Law 115–91; 41 U.S.C. 1901 note). The report shall describe how platform providers within the General Service Administration’s (GSA) e-commerce program are complying with subsection (h) and GSA’s ability to monitor providers’ activities and data uses for compliance with subsection (h).
AMENDMENT TO H.R. 6395
OFFERED BY MR. CROW OF COLORADO

At the appropriate place in title XVII, insert the following new section:

1 SEC. _____. SPACE STRATEGIES AND ASSESSMENT.
2 (a) Sense of Congress.—It is the sense of Congress that the United States Government should support activities in space by—
3 (1) ensuring robust, innovative, and increasingly capable civil and national security space programs;
4 (2) supporting effective and stable space partnerships with allies of the United States;
5 (3) leveraging, to the greatest extent practicable and appropriate, commercial space capabilities; and
6 (4) ensuring freedom of navigation and providing measures to assure the supply chain related to such space assets and manufacturing processes of such assets.
7 (b) Strategy Required.—Not later than 270 days after the date of the enactment of this Act, the President, in consultation with the National Space Council, shall develop and maintain a strategy to ensure that the United
States, as appropriate, strengthens civil and national security capabilities and operations in space through—

(1) challenging and inspiring civil space goals and programs;

(2) partnerships with allies of the United States;

(3) leveraging of commercial space capabilities;

(4) ensuring supply chain and manufacturing processes for space assets;

(5) sustaining a highly skilled, world-class workforce; and

(6) considering the financial security and cybersecurity concerns threatening commercial and Federal Government launch sites of the United States.

(c) Submission of Strategy and Plan.—Not later than one year after the date of the enactment of this Act, the Chair of the National Space Council, in consultation with relevant departments and agencies of the Federal Government, shall submit to the appropriate congressional committees a report setting forth—

(1) the strategy under subsection (b); and

(2) a plan to implement the strategy, including to—

(A) ensure the freedom of navigation of space assets and protect the supply chain relat-
ing to such assets and manufacturing process of such assets from threats from the People’s Republic of China and the Russian Federation, which may include protection from intellectual property theft and threats with respect to electronic warfare capabilities;

(B) identify capabilities required to ensure civil and national security space leadership;

(C) provide contingency and resiliency for civil and national security space operations; and

(D) strengthen relations with the allies of the United States with respect to space.

(d) ASSESSMENT AND REPORT.—

(1) ASSESSMENT AND REPORT REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Administrator of the National Aeronautics and Space Administration, shall submit to the appropriate congressional committees a report that includes—

(A) an assessment of the capabilities and role of relevant departments and agencies of the Federal Government to—

(i) ensure access to launch, communications, and freedom of navigation and
other relevant infrastructure and services for civil and national security space programs and activities; and

(ii) identify vulnerabilities that could affect access to space infrastructure; and

(iii) address financial security and cybersecurity concerns threatening commercial and Federal Government launch sites of the United States; and

(B) recommendations and costs to improve the capabilities assessed pursuant to subparagraph (A), including recommendations with respect to—

(i) the electronic warfare capabilities of China and Russia; and

(ii) the use of counterspace weapons and cyber attacks by China and Russia.

(2) FORM.—The report under paragraph (1) may include a classified annex.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEE.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services of the House of Representatives;
(B) the Committee on Science, Space, and Technology of the House of Representatives;

(C) the Committee on Foreign Affairs of the House of Representatives;

(D) the Committee on Energy and Commerce of the House of Representatives;

(E) the Committee on Armed Services of the Senate;

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

(G) the Committee on Commerce, Science, and Transportation of the Senate.

(2) LAUNCH SITE.—The term “launch site” has the meaning given that term under section 50902 of title 51, United States Code.