The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. HULTGREN).

DESIGNATION OF SPEAKER PRO TEMPORE
The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC, June 2, 2015.

I hereby appoint the Honorable RANDY HULTGREN to act as Speaker pro tempore on this day.

JOHN A. BOEHNER, Speaker of the House of Representatives.

MORNING-HOUR DEBATE
The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate. The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

TRADE PROMOTION AUTHORITY SHIFTS TO HOUSE
The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, in our fast-changing world, the global economy looms large. America has long been the leader in promoting freer and fairer trade, promoting the economy at home while strengthening ties overseas. The current issue that is before us now deals with a trade promotion authority and the Trans-Pacific Partnership, an agreement with 12 countries, representing almost 40 percent of the global economy.

After the recent bipartisan vote in the Senate on the trade promotion authority and related package, attention now shifts to the House where we are likely to be voting on this in the next couple of weeks. Many confuse support for the trade promotion authority with the TPP, the Trans-Pacific Partnership, they are two distinct items.

The Trans-Pacific Partnership is an ongoing series of negotiations which has yet to be concluded. Indeed, one of the reasons we are looking at trade promotion authority now, establishing the rules of the game and how Congress will evaluate and process it, is to make sure that we get into the final stages.

Trade promotion authority historically, something we have done repeatedly in the past, provides for Congress to vote on an up-or-down basis on a trade agreement once it is finalized. This is what happens in negotiations routinely in the United States, an up-or-down vote. I find it somewhat ironic that some of my friends in organized labor think that it somehow should be negotiated in Congress, that it ought to be subject to amendment in Congress. Yet there is no labor union that I am aware of that has its contracts voted piecemeal. Members aren’t allowed to amend. It is up or down, and that is what is necessary to be able to reach a conclusion with these negotiations.

Some are demanding that Members of Congress oppose an agreement that is not yet completed. Well, I, for one, am not going to support or oppose an agreement until I can see what is in it and until the agreement is finalized. Until it is finished, I am going to continue to work to make it as strong as possible.

I have been working on provisions to strengthen enforcement, establishing a trust fund to make sure that provisions in trade agreements have the resources to make sure that they are, in fact, enforced, such as having provisions known as the Green 301 that has greater strength to be able to enforce environmental provisions. This makes a difference for my community.

Oregon’s small- and medium-sized businesses, family farmers, winemakers, bike manufacturers say that enhanced trade authority is critical to creating more jobs at home and increased value for customers. That is something that gets lost in this debate because, as a result of our policies promoting freer trade between countries, Americans have seen their standard of living increase. Americans today are paying less for clothing, less for food, less for electronics as a result of the benefits of these agreements. Some estimates say it is about $8,000 per family.

Well, we will see what the current trade agreement looks like when it is completed. As I mentioned, the trade promotion authority is necessary to reach the final stages.

Thanks to the efforts of my friend and my constituent Senator RON WYDEN, the ranking member of the Senate Finance Committee, this trade promotion authority that we will be dealing with makes it mandatory that everybody in the country will be able to look at the final agreement for 60 days before the President signs it, and then it will be public for another 90 days—5 months, essentially—before Congress will vote up or down on whether or not it is worthy of our support.

Well, I will do what I have done in trade agreements in the past. I will consider each element with the same principles: Is this package good for the people I represent in Oregon? Does it align with our values? Will it be a net positive for areas that I care about, like labor and the environment? More fundamentally, are we going to be better off with an agreement or with none?
PUTTING A STOP TO MISMANAGEMENT AT THE VA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, in 2014, Congress passed legislation with broad bipartisan support to improve access to the VA and the quality of care for veterans in response to the nationwide scandal over manipulated wait times at the VA.

The Veterans’ Access to Care through Choice, Accountability, and Transparency Act created a 3-year program to allow veterans to seek care from private providers if they live too far from a VA facility or cannot otherwise get an appointment within 14 days.

It also gave the VA Secretary the authority to fire senior executives for poor performance and required a top-to-bottom study of the entire Department to be completed within 1 year of enactment.

When government failure is exposed and legislation aimed at restoring accountability is enacted, it makes sense that action would be swift and immediate, people would be fired, and wrongs would begin to be made right. Unfortunately, that has not been the case at the Department of Veterans Affairs.

While there are as many as 1,000 employees potentially subject to disciplinary actions, the VA has punished a total of eight for involvement in the scandal. We continue to hear about unacceptable patient wait times, unanswered benefit inquiries, patient safety concerns, medical malpractice, flagrant mismanagement, inflating, corruption, and years of construction delays that total millions of dollars.

Frustration, anger, outrage, Mr. Speaker, these are just a few of the words that come to the lips of those who have responded to the latest stories about problems within the Department of Veterans Affairs. The continued iniquity at the highest levels of the Department of Veterans Affairs is simply unacceptable. It is past time to put an end to this agency-wide pattern of mismanagement.

Last month, the House continued its efforts to fulfill the commitment we have made to those who have served by approving several pieces of legislation to further improve accountability at the VA.

We also passed legislation to increase access to education programs for veterans and to encourage small businesses to hire them. While it will never be enough, this legislation is a positive step forward in meeting our responsibility to America’s veterans.

However, Congress cannot transform the VA alone. It is the President’s responsibility to ensure that changes are made within the agency and that employees are held accountable for their actions. Unfortunately, that is not happening.

Every day, we hear only more stories about further misdeeds. President Obama must commit to reforming the VA with more than just lip service. America’s veterans deserve a meaningful, decisive plan to right the many wrongs.

As a country, we are uniquely blessed. We live in a nation where each of us has the possibility of nearly limitless fulfillment and prosperity in the world’s finest democracy. That unparalleled freedom and opportunity has been made possible by the sacrifice and the profound sacrifices of those who have fought for and defended our Nation.

America’s veterans deserve better than the inexcusable misconduct and neglect that we have seen over the last few years at the VA. It is critically important that we provide high-quality, timely care for those who have sacrificed so much to our country.

Republicans are committed to that principle and to the veterans of this country.

URBAN FLOODING AWARENESS ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, as Members of Congress continue to debate whether or not climate change is real, Americans are paying the price. To the climate doubters that I serve with, I will remind them that there are over 200 peer-reviewed scientific studies that conclude that climate change is real and that man contributes to it, and there are zero peer-reviewed scientific studies that say the opposite.

Climate change often brings images to mind of melting ice caps and rising sea levels, but the effects of climate change are being felt every day by people around the country. Climate change is causing even more destructive storms which, when combined with our aging infrastructure, is resulting in cities around the country being pummeled by urban flooding.

A little more than 2 years ago, residents in my district endured their second 100-year flood in a mere 3 years. A 100-year storm means that there is a 1 percent chance that a storm of that magnitude will happen every year, but folks in Chicago are experiencing these storms with greater intensity and frequency.

The morning after the rains bombarded Chicago in 2013, I visited numerous community members and their homes. The damage I saw was devastating: tens of thousands of homes and businesses flooded; tons of carpeting, furniture, and memories are ruined; businesses shuttered; and entrepreneurs’ dreams crushed, along with millions of dollars in damages.

Throughout the region, we saw the closure of schools, libraries, and even hospitals were forced to relocate patients. That kind of devastation cannot be ignored. Our constituents cannot be ignored.

In Chicago, over the past century, we have seen countless storms that have caused pipes to back up into houses and dump upwards of 1.5 inches of rain in a single day. What is more, rains of more than 2.5 inches a day are expected to increase another 50 percent in the next 20 years.

The National Climate Assessment, released by the Obama administration last year, predicted that the frequency and severity of these downpours will more than double over the next 100 years. That means even more trouble for our Nation’s already deteriorating infrastructure and the cities around the country that rely on that infrastructure to keep them safe.

Storm drains are outdated; sewers are inadequate, and families are at risk.

Whether it is because of flooded pipes or the lack of permeable surfaces in our cities, our constituents are paying the prices. Thousands of households in America are affected every year by urban flooding, yielding catastrophic economic, environmental, and social damage in some of our country’s largest cities. Basements with water damage decrease property values by an estimated 10 to 25 percent.

But the impacts don’t end there. Chronically damp houses can cause respiratory problems and higher insurance costs. Additionally, almost two out of five small businesses cannot open after experiencing a flooding disaster. Urban flooding erodes streams and riverbeds and degrades the quality of our drinking water sources and the health of our aquatic ecosystems.

It is time we come up with a national response to this growing problem. That is why I am proud to introduce the Urban Flooding Awareness Act. This legislation will finally create a definition of urban flooding to be used when designing flood maps and will require a first-of-its-kind study to analyze the costs associated with urban flooding and develop solutions. It would also help us better protect downstream communities from the flooding impacts of development in upstream areas.

Existing regulatory and policy mechanisms are not adequate for this task. It is time we develop new strategies. By identifying the most effective and economical remedies to urban flooding, we are better preparing our communities to defend themselves against the devastation caused by increasingly intense weather.

In investing in real solutions to this problem now is the only way to avoid higher costs down the road. We can learn from our successes and investigate innovative new strategies for funding crucial new programs that eliminate flood risk and damage. Our cities need the best tools available if they are going to survive this era of supersized storms.
THE RAINS OF MAY

The Speaker pro tempore. The Chair recognizes the gentleman from Texas (Mr. Poe) for 5 minutes.

Mr. Poe of Texas. Mr. Speaker, the rains came down and the floods came up. And although Texas did not receive Noah’s flood, in Liberty and Dayton, the recent 10 days of rains were of Biblical proportions.

The whole State received the incessant rain. And about the time we thought it would all stop on Saturday morning, it all happened again Saturday night, flooding many of the same homes and communities throughout the State.

In Houston, six, so far, have died. Statewide, there are now 24 deaths. Eleven are still missing in Harris County where the Blanco River rose so fast at night it trapped people in over 200 resort homes that were on the river—homes that eventually washed away. Many times the Trinity, the Colorado, the Brazos and the San Jacinto—rose at rapid record rates and are still out of their banks.

Weather experts, Mr. Speaker, said so much high rainfall in Texas in May that it was enough moisture to cover the entire State in 8 inches of water. That is a lot of rain. Seventy counties have been designated disaster areas. But the rainbow news, Mr. Speaker, is that many, many volunteer helpers helped their neighbors and strangers survive the troubled waters of the floods.

Here is just one example. The hard rain in Dallas flooded the Trinity River, forcing Le Grand in north Texas. The Trinity River flows south down to southeast Texas near Houston, and the added rain in southeast Texas had the Trinity River size of the Mississippi River.

As the river rose in southeast Texas, a herd of cattle were trapped in the middle of the river on high ground. This high ground was eventually going to be overcome with water and the cattle would be washed out to sea. The river rises between the small towns of Liberty and Dayton, about 6 miles apart, separated by U.S. Highway 90.

So Sunday, in a scene reminiscent of the 1800s roundups, cowboys mounted airboats—yes, airboats, Mr. Speaker—to force the hundreds of cattle into the river and have them swim to safer ground. The only area that had high ground was U.S. Highway 90. The highway was above the water; even though water was on both sides of the highway.

The roundup took several hours because, Mr. Speaker, cattle are hard-headed. They did not want to leave the high ground and swim to a highway. So it took several hours to do this. Even the cowboys were lassoing calves and tying them to the airboat so they wouldn’t drown. Finally, after many hours, all the cattle were forced up on U.S. Highway 90 between Liberty and Dayton, Texas.

Now, what do you do with them? Well, the cowboys, now on horses, along with citizens and other volunteers, herded the cattle down U.S. highway 90 to Dayton, Texas, through Main Street of Dayton, Texas. The citizens came out with their kids to see the cattle drive through Dayton, Texas, and they moved these several hundred head of cattle there where they would be kept, that is the highest area in the county, until the flood waters finally are diminished.

Of course, local businesses helped out: a local store, Casa Don Boni in Saberty, and the Sonic, always present in Dayton, supported the volunteers with food and drinks; and other businesses as well helped. This is an example of how, during a troubled time, tough times, Texans are helping each other survive this catastrophic flooding.

So, now, Mr. Speaker, that the rains that came down and the flood that came up have subsided and the earth has returned to its dry land, our prayers go to the families lost, friends, and property. God bless every one of them. And we also give grateful thanks to those that helped each other during the floods of May.

And that is just the way it is.

RECOGNIZING LE GRAND UNION HIGH SCHOOL AND DOS PALOS HIGH SCHOOL IN SAN JOAQUIN VALLEY, CALIFORNIA

The Speaker pro tempore. The Chair recognizes the gentleman from California (Mr. Costa) for 5 minutes.

Mr. Costa. Mr. Speaker, I rise today to recognize two exemplary high schools in my district, Le Grand Union High School and Dos Palos High School.

In California’s San Joaquin Valley, one of the most economically challenged regions of the Nation, having access to a quality education is critical for our students to be successful and for those two schools shine on both the State and national levels.

Recently, both Le Grand and Dos Palos were acknowledged by the U.S. News & World Report as among the top high schools in America. Not only are they Le Grand High School and Dos Palos among the best in Merced County, but they both ranked among the top five high schools in our region. Their accomplishments show our students, with the right encouragement and support, in fact, can succeed.

Students, regardless of their socioeconomic status or being college bound, deserve a quality education that prepares them for the road ahead. And both Le Grand and Dos Palos High Schools are doing just that. Mr. Speaker, 81 percent of the students at Le Grand High School and 97 percent of the students at Dos Palos High School qualify as low-income. These schools are challenging and difficult areas. I am proud to say that, at both Le Grand High School and Dos Palos, approximately half of all enrollees are in AP classes and taking the end-of-year test for college credit. Now, what does that mean? It means that every day these students are actively seizing opportunities to change their lives for the better, and for that, we are glad.

Mr. Speaker, when our students succeed, our Nation succeeds because, after all, they are the future of America. The great success of these students would not be possible without the amazing support of both the faculty and the staff at both high schools. These are the teachers and educators who see promise in our students and inspire them to follow their dreams and progress, teachers who have dedicated their professional careers to public education in America.

To Le Grand Union High School Principal Javier Martinez, the Le Grand Union High School faculty and staff, their board of directors, and the Le Grand student body, job well done.

To the Dos Palos High School Principal Heather Ruiz, the Dos Palos High School faculty and staff, the Dos Palos Oro Loma School District Board of Trustees, and to that student body, again, job well done.

Let me take this opportunity to say a big thank-you to all of you, and congratulations in achieving the Silver Medal Award given annually by the U.S. News & World Report. Your collective academic achievement is a source of pride not only in our community, but throughout the Nation.

Most importantly, all of you are making a difference, making a difference for our students. Thank you for setting the example, and thank you for the difference you are making in their lives. It is an honor and a privilege to represent you, and keep up the good work.

TRADE PROMOTION AUTHORITY

The Speaker pro tempore. The Chair recognizes the gentleman from Kansas (Mr. Pompeo) for 5 minutes.

Mr. Pompeo. Mr. Speaker, I rise today to discuss an issue that is incredibly important not only to America, but to the folks who I represent in south central Kansas. We need to make sure that in south central Kansas we have the opportunity to access markets all over the world and to sell the great products that we make.

Mr. Speaker, it sometimes sounds like just statistics, but to the folks who I represent, $32 billion in goods from over 3,000 companies were exported outside of Kansas. In the Fourth District alone, over $3.8 billion was exported, making Wichita and south central Kansas one of the three top exporting metros in the entire United States of America.

When you visit Wichita, you can see that. If you travel around south central Kansas, you will find great aerospace companies, companies like Learjet, Cessna, Beechcraft, and Airbus, manufacturing goods that are sold all across the world. They need access to these markets overseas. We make the 737 fuselage right in Wichita, Kansas.
And we all know the hundreds of small businesses that supply them, machine shops like DJ Engineering and McGinty Machine, that hire hundreds of people in good-paying jobs that are dependent on the capacity for south central Kansas to ship their products around the world, companies like Rubbermaid and Case New Holland that makes farm equipment and Coleman that makes camping goods.

This doesn’t begin to mention all the petroleum products that move out of Kansas. And, of course, we sell lots of agricultural products as well. Kansas is the top exporter of wheat, with over $1.5 billion per year. It ranks second in the export of meat products and third in cattle.

International trade is incredibly important to the people of south central Kansas. These aren’t just numbers. These are about real, hard-working Kansans, getting equipment in Hesston, Kansas, can continue to grow. It is their objective to double over the next 5 years. They cannot do so without the capacity to sell their products into Europe and to Asia.

Now, Mr. Speaker, there is much controversy about some pieces of trade promotion authority in some of the trade agreements. I have read the document as it currently stands. I can assure anyone who is listening today that this Congress will retain its full authority to approve every agreement that is entered into to make sure that it is, in fact, in the best interests of reducing taxes, reducing tariffs, and reducing regulatory barriers so that Americans and Kansans can sell their products all across the globe.

Sometimes the word “trade” gets bandied about, but what it really means is the capacity for innovation, creativity, the rule of law, and competitiveness to triumph around the world. Those are the hallmarks of the people of south central Kansas. We get these trade agreements right, we can enhance the lives of so many folks all across the Fourth District of Kansas.

Mr. Speaker, I encourage my colleagues on both sides of the aisle to get behind this legislation and become a cosponsor of the bipartisan, which has the strong support of the International Dairy Foods Association and the National Milk Producers Federation, seeks to reverse the decline of milk consumption in schools throughout Pennsylvania and across the country.

To help achieve this goal, the bill would reaffirm the requirement that milk is offered with each meal and also give schools the option of offering low-fat flavored milk, rather than only fat-free milk.

I urge my colleagues on both sides of the aisle to get behind this legislation and become a cosponsor of the bipartisan, which has the strong support of the International Dairy Foods Association and the National Milk Nutrition Act of 2015.

Mr. Speaker, I recently teamed up with Congressman Joe Courtney of Connecticut to introduce H.R. 2407, the bipartisan School Milk Nutrition Act of 2015.

Between 2012 and 2014, schools across the country served 187 million fewer pints of milk, despite an increase in public school enrollment. Mr. Speaker, this is an alarming statistic considering milk is the number one source of nine essential nutrients in young Americans’ diets and provides many significant health benefits.

The School Milk Nutrition Act, passed with the strong support of the International Dairy Foods Association and the National Milk Producers Federation, seeks to reverse the decline of milk consumption in schools throughout Pennsylvania and across the country.

To help achieve this goal, the bill would reaffirm the requirement that milk is offered with each meal and also give schools the option of offering low-fat flavored milk, rather than only fat-free milk.

I urge my colleagues on both sides of the aisle to get behind this legislation and become a cosponsor of the bipartisan, which has the strong support of the International Dairy Foods Association and the National Milk Nutrition Act of 2015.

Celebrating the Tennessee Valley Authority’s Watts Bar Nuclear Facility

Mr. Speaker, I recently joined with New York Congressman Charles Rangel to introduce H.R. 2516, the Veterans E-Health and Telemedicine Support Act of 2015.

This bipartisan legislation would allow Veterans Affairs health professionals, including contractors, to practice telemedicine across State borders if they are qualified and practice within the scope of their authorized Federal duties.

Currently, overly cumbersome location requirements can make it difficult for veterans, especially those struggling with mental health issues, to get the help they need and deserve.

As the vice chair of the House Energy and Commerce Committee, I will continue my efforts to stop the EPA from its overreach and to stop them from implementing this administration’s special interest agenda, which has no real purpose but to meet the 21st century energy needs of the people of Tennessee.

Mr. Speaker, I urge my colleagues to get behind this legislation and become a cosponsor of the bipartisan, which has the strong support of the International Dairy Foods Association and the National Milk Nutrition Act of 2015.

Celebrating the Tennessee Valley Authority’s Watts Bar Nuclear Facility

The Speaker pro tempore. The Chair recognizes the gentleman from Tennessee (Mrs. Blackburn) for 5 minutes.

Mrs. Blackburn. Mr. Speaker, on June 1, 1796, Tennessee became the 16th member of these United States. For some 200 years, Tennessee has been part of the innovative vanguard that makes this country great, whether it be through culture, science, or even our fabulous barbecue.

Last week, I had the opportunity to tour the latest energy innovation the State of Tennessee has to offer—the Tennessee Valley Authority’s Watts Bar Nuclear facility. With the construction of Watts Bar Unit 2 now approximately 98 percent complete, TVA will soon be bringing the nation’s first new American nuclear unit to come online. And I am so pleased, Mr. Speaker, that today The Hill newspaper has an article about this very facility.

The project is indeed to be celebrated. It is a model of safety and quality. The dedicated TVA employees at Watts Bar have put in a million hours of work without a lost-time accident. At the same time, they have maintained a quality acceptance rate above 97 percent. That also should be celebrated. Together with Watts Bar Unit 1, the complete facility will be able to power 1.3 million homes in the Tennessee Valley.

Mr. Speaker, America must pursue an all-of-the-above energy policy that includes nuclear. Nuclear is a clean, responsible option and one that strengthens our Nation’s energy security grid. Unfortunately, though, the EPA, the Obama administration, has proposed sweeping regulations that wage a war on coal while also dismissing the benefits and the power of nuclear energy.

Under the EPA’s Clean Power Plan, Tennessee is actually penalized for being nuclear. Nuclear is a clean, responsible option and one that strengthens our Nation’s energy security grid. Unfortunately, though, the EPA, the Obama administration, has proposed sweeping regulations that wage a war on coal while also dismissing the benefits and the power of nuclear energy.

As a result, Tennessee’s emission targets under this rule are more difficult to reach because the State is not able to count the emission reductions from this cleaner plant towards its required cuts.

Rather than recognizing TVA’s forward-looking work to construct Watts Bar 2, EPA unfairly, and significantly, increased the emission reduction rate for Tennessee.

I was sent to Congress to ensure that the needs of my constituents are represented here in Washington. As the vice chair of the House Energy and Commerce Committee, I will continue my efforts to stop the EPA from its overreach and to stop them from implementing this administration’s special interest agenda, which has no real purpose but to meet the 21st century energy needs of the people of Tennessee.

Mr. Speaker, this is important, and I want to thank the TVA team for showing me the Watts Bar facility and for allowing me to have a remarkable visit, and I encourage them in their continued good work.

School Milk Nutrition Act of 2015

The Speaker pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. Thompson) for 5 minutes.

Mr. Thompson of Pennsylvania. Mr. Speaker, I recently teamed up with Congressman Joe Courtney of Connecticut to introduce H.R. 2407, the bipartisan School Milk Nutrition Act of 2015.

Between 2012 and 2014, schools across the country served 187 million fewer pints of milk, despite an increase in public school enrollment. Mr. Speaker, this is an alarming statistic considering milk is the number one source of nine essential nutrients in young Americans’ diets and provides many significant health benefits.

The School Milk Nutrition Act, passed with the strong support of the International Dairy Foods Association and the National Milk Producers Federation, seeks to reverse the decline of milk consumption in schools throughout Pennsylvania and across the country.

To help achieve this goal, the bill would reaffirm the requirement that milk is offered with each meal and also give schools the option of offering low-fat flavored milk, rather than only fat-free milk.

I urge my colleagues on both sides of the aisle to get behind this legislation and become a cosponsor of the bipartisan, which has the strong support of the International Dairy Foods Association and the National Milk Nutrition Act of 2015.
The Veterans E-Health and Telemedicine Support Act of 2015 removes these barriers and allows the VA to provide treatment through physicians free of this restriction. Veterans will no longer be required to travel to a VA facility but, rather, can receive telemedicine treatment from anywhere, including their home or a community center.

Mr. Speaker, these brave men and women put so much on the line each and every day in service to our country that when they return home it is our shared responsibility to ensure that they do not fall through the cracks by making lifesaving resources readily available.

This legislation will eliminate the multiple layers of bureaucracy, allowing our veterans to have greater access to mental and behavioral health services, especially in rural areas.

I rise today and ask my colleagues in both parties to get behind this bipartisan, commonsense legislation.

Mr. Speaker, sadly, 22 veterans commit suicide every day. Let’s end that crisis.

OBAMACARE RATE HIKES

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, it has now been more than 5 years since President Obama signed his landmark achievement which he called the Affordable Care Act, into law. At that time, the President and the Democrats in Congress promised that their massive Federal takeover of our healthcare system would lower costs on American families. Affordability was its central selling point.

But 5 years later, they must face the facts. Their law, which they forced on our family—

The average West Virginia family—the State I am blessed to represent—pays about the same as the residents in the State of New York, which is $17,105 a year on their health insurance. That is $271 above the national average.

We cannot pretend that the Affordable Care Act is anywhere close to “affordable.” Obamacare adds taxes, regulations, and unfunded mandates onto the American consumers. The limited choice in health insurance plans is harming families and their budgets.

In my district in West Virginia, there is one health insurance provider through the exchange. And this one plan is asking for a rate increase as high as 21.6 percent.

President Obama has routinely and blatantly forced his failed policies on the American people. According, again, to the independent Congressional Budget Office report of February 4, 2014, ObamaCare has killed 2.5 million jobs a year.

Who are these 2.5 million Americans who have lost their jobs thanks to ObamaCare? They are disproportionately low-wage workers. The people who are hurt the most by ObamaCare are the same ones who ObamaCare was supposedly designed to help. If we really should call it is the “Non-Affordable Care Act.”

West Virginians who get their healthcare insurance through their work are paying some of the highest rates in the United States for premiums and deductibles, according to a report from The Commonwealth Fund. The 33,421 West Virginians who are currently enrolled in ObamaCare cannot afford to have their rates hiked yet again.

Many Americans are left wondering how much more will we have to pay each year because of the Non-Affordable Care Act. To make matters worse, the Non-Affordable Care Act has added $1 trillion in tax increases. This is money taken out of the pockets of hard-working American families.

The top Democrat leader here in Congress famously said on March 10, 2010: “We have to pass the Affordable Care Act to find out what’s in it.” You should know what it is before you vote on it—come on. Well, it has been 5 years since the bill was shoved through Congress, and the American people deserve better.

We must halt ObamaCare’s takeover of the U.S. healthcare system and pass commonsense reforms that lower costs for hard-working families and expand access to health care. The State of West Virginia and the Nation need lower costs and personal control over healthcare decisions, not more Federal Government intervention.

The budget that was recently passed by the House and the Senate repealed ObamaCare—including all of its taxes, regulations, and mandates—and ObamaCare’s outrageous requirement that the taking of unborn human lives be covered as so-called “health care.”

Republican healthcare plans pave the way for patient-centered healthcare solutions that focus on reform that will help reconnect doctors and patients and give patients better care through more options.

The goal of patient-centered healthcare reform is to empower the patients. Republicans in Congress have multiple proposals to address the healthcare issue. Republicans propose increasing competition and transparency in the health insurance market and stopping frivolous lawsuits against doctors and hospitals.

Americans should not be forced to buy into something that simply doesn’t work. The Non-Affordable Care Act does not work. The estimated premium increases that were announced yesterday are yet another example of the failings of this bill and this President.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o’clock and 40 minutes a.m.), the House stood in recess.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HARDY) at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Dear God, we give You thanks for giving us another day.

There are many important issues facing our Nation—concerns about immigration, our national security, our personal privacy, the levels of unemployment. Bless abundantly the Members of this people’s House.

Help them to see new ways to productive service, fresh approaches to understanding each other, especially those across the aisle, and renewed commitment to solving the problems facing our Nation.

May they, and may we all, be transformed by Your grace and better reflect the sense of wonder, even joy, at the opportunities to serve that are ever before us.

May all that is done this day be for Your greater honor and glory. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the previous day’s proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker’s approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker’s approval of the Journal.

The question was taken; and the yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Rhode Island (Mr.
Mr. CICILLINE led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

AMERICA NEEDS A CHANGE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, as American families continue to be under attack from radical Islam, it can be credited President Obama was correct on December 14, 2011, addressing troops at Fort Bragg: "We are leaving behind a sovereign, stable, and Pettusian Iraq . . . a moment of success."

Clearly, then-President George W. Bush’s strategy of denying mass murderers safe havens to kill Americans anywhere was admitted successful. I am grateful my two oldest sons served in Iraq to protect American families.

President Obama’s failure to achieve a status of forces agreement in Iraq and his failure to uphold his declared red line in Syria led to murderous advances of ISIL/Daesh, which he publicly dismissed as junior varsity.

I hope President Obama changes course for victory in the global war on terrorism, which began with the declarations of war in 1997 against America with a goal of death to America, death by violence, and mass slaughter of Muslims who do not submit.

President Obama’s legacy should be peace through strength, not weakness, as future attacks threaten American families.

In conclusion, God bless our troops, and may the President by his actions never forget September the 11th in the global war on terrorism.

SUPPORTING THE EXPORT-IMPORT BANK

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, the Export-Import Bank is a critical resource for small- and medium-sized businesses in Rhode Island’s First Congressional District and all across this country.

In fact, over the last 8 years, the Ex-Im Bank has provided more than $20 million in insured shipments, guaranteed credit, or disbursed loans for companies in my district, enabling them to export products valued at nearly $50 million.

The Ex-Im Bank provides financing that enables these companies to access foreign markets, compete in the global economy, and create good-paying jobs here in America. American jobs are supported by the Ex-Im Bank, 164,000 American jobs in 2014. The default rate for the Ex-Im Bank was less than one-fifth of 1 percent, 0.175 percent.

Support for the reauthorization of the Ex-Im Bank is bipartisan. 180 Democrats and Republicans signed a discharge petition to force a vote on reauthorizing the Ex-Im Bank before it expires on June 30, and many Republicans have publicly supported reauthorization.

I have had the opportunity to meet with companies in my district that rely on the Ex-Im Bank, companies like the Cooley Group in Pawtucket that designs, develops, and manufactures a diversified industry-leading portfolio of premier engineered coated fabrics used across an array of industrial, commercial, and military applications.

This issue is too important for the usual partisan politics that Washington has grown used to. We need to stand up for small- and medium-sized companies and reauthorize the Ex-Im Bank before the end of this month.

ALZHEIMER’S & BRAIN AWARENESS MONTH

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, June is Alzheimer’s & Brain Awareness Month. Alzheimer’s is the only top 10 cause of death in America that cannot be prevented or cured; however, we are making strides.

Mr. Speaker, H.R. 6, the 21st Century Cures Act, is bipartisan, nonpartisan legislation that will help spur the development of cures and treatments more quickly to help patients with chronic or rare conditions.

I am an original cosponsor of a provision in H.R. 6 to create a national data collection system for neurological diseases. Better data will pave the path toward better treatments.

In April, I held a neurological disease roundtable in my district to engage with doctors and patients, including Ron Brill, an East Granby resident and Alzheimer’s patient. We discussed how to advance the development of treatments and cures for diseases like Alzheimer’s.

Mr. Speaker, by working together, we can help Alzheimer’s patients.

WESTERN NEW YORK’S PRIDE WEEK

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, yesterday I joined the Pride Center of Western New York to celebrate the LGBTIQ community and kick off Buffalo Pride Week. Last week Niagara Falls Mayor Paul Oyster, Councilwoman Kristen Grandinetti, and the Rainbow City Coalition raised the rainbow flag for the first time at city hall in Niagara Falls.

Western New York’s Pride Week comes at a particularly historic time. The Supreme Court is expected to rule soon on whether the Constitution guarantees same-sex couples the right to marry. I believe that it does. I was proud to join 21 other colleagues in Congress in filing an amicus brief urging the Court to find such a right in its ruling.

Mr. Speaker, marriage equality is one of the important accomplishments of a larger effort to ensure that everyone has the same basic rights as each and every American. I congratulate the Pride Center of Western New York and the Rainbow City Coalition for their community efforts this week and advocate for equality each and every day.

I hope next year Pride Week will celebrate a Supreme Court decision that honors the right of all Americans to marry the person they love.

HIGHLIGHTING ACCOMPLISHMENTS OF TIMBERLAND SHOE COMPANY

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, I rise today to highlight the significant contributions of a New Hampshire-based business that employs almost 1,500 people and contributes approximately $1.8 billion in economic revenue.

For nearly 40 years, Timberland Shoe Company has remained a staple in the New Hampshire business community. From what started out as a small shoe company in Boston, Timberland has grown into a worldwide leader of outdoor footwear and apparel.

Headquartered in Exeter, New Hampshire, Timberland employs over 400 Granite Staters in a variety of departments such as marketing, operations, retail, administration, and more. The accomplishments of Timberland also transcend the workplace in ways where they have logged 8,900 hours of community service just in the last year.

Mr. Speaker, giving back to the community is an important aspect of successful business, and Timberland sets a great example for what all businesses should strive for. It was a privilege to visit Timberland’s headquarters last month, and I look forward to their next 40 years in the great State of New Hampshire.

NATIONAL GUN VIOLENCE AWARENESS DAY

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Today we recognize the first National Gun Violence Awareness Day, and when you
look around, you will see a lot of people wearing orange.

This day was declared in memory of Hadiya Pendleton, a teen-age girl who was shot and killed in a park 2 years ago. She would have turned 18 today. Hadiya’s story is hardly familiar. For Americans under the age of 20, gun violence is now the second leading cause of death.

Mr. Speaker, in recent years, we have lost more children to guns here at home than we did soldiers in Iraq and Afghanistan. It shouldn’t be political to say that these shootings need to stop. I hope we can all agree that America’s young people deserve better.

We owe it to Hadiya and those like her to come together on this issue and work to prevent future tragedies. We know that simple solutions like mandatory background checks, which a majority of Americans support, can make all the difference.

Mr. Speaker, the situation is dire, and action is long overdue. I urge my colleagues to act now on sensible gun control.

### SUPPORT FOR MORE BORDER CONTROL HITS FOUR-YEAR HIGH

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, a recent poll shows that a great majority of the American people continue to oppose President Obama’s immigration policies. The new Rasmussen Reports national survey found that 77 percent of likely voters view illegal immigration as a serious problem in America today. Just 19 percent do not.

Most voters, 63 percent, believe that controlling our borders is more important than providing a legal status to those already in the country illegally. This is the highest level of support for border security since 2011. And almost three-fifths of voters think that a pathway to citizenship for illegal immigrants will just encourage more unlawful immigration. Just one-quarter disagree.

As in prior polls, Mr. Speaker, a strong majority of voters, 62 percent, feel that the United States is not aggressive enough in deporting illegal immigrants. A similar percentage of voters want to use our military along our southern border to prevent unlawful entries.

It is time for the President to heed voters’ views on illegal immigration and to enforce immigration laws.

### NATIONAL GUN VIOLENCE AWARENESS DAY

(Mrs. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, today I am wearing orange in recognition of the first annual National Gun Violence Awareness Day. Orange is the safety color hunters wear to alert other people of their presence, and this is the perfect color to represent safety with respect to firearms and the value of human life.

Last week, as we honored our troops and celebrated Memorial Day weekend, a wave of gun violence ripped through the city of Chicago, wound more than 50 people and killing 12. Among the victims were a 17-year-old boy, a 15-year-old girl, and a 4-year-old child.

Mr. Speaker, Congress needs to act now. We can’t equip every American with an orange hunting vest, but we can surely take sensible approaches to reduce the threat of gun violence in our communities.

This Congress, I have introduced H.R. 224, which would require the Surgeon General to compile a report on the public health impact of gun violence. This commonsense gun bill can help us understand the public health impact of gun violence and prevent future shootings.

Mr. Speaker, I urge my colleagues to stand with me and support commonsense legislation to curb the violence that plagues our Nation. And I want to say happy birthday, Hadiya, and happy birthday, Blair Holt.

### SUPPORT OUR NATION’S TRUCKERS

(Mrs. ELLMERS of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mr. Speaker, please recognize Mr. Juan Jose Malo, who was born in the small Ecuadorian village of Puyo. At the age of 17, he moved to the United States with his family.

Mr. Speaker, Juan Jose’s generosity has also pushed the Ecuadorian-American Chamber of Commerce to undertake seven medical and humanitarian missions to Ecuador and one to the Dominican Republic. Juan Jose specifically has sought to bring attention to the plight of the Ecuadorian people by founding the magazine “Revista Remesa,” ensuring that the biological sciences."

### CONGRESSIONAL RECORD — HOUSE

Mr. LOWENTHAL. Mr. Speaker, I rise today to honor Juan Jose Malo on his retirement as the president of Miami’s Ecuadorian-American Chamber of Commerce.

Juan Jose has tirelessly worked to help the Ecuadorian American-owned and -operated businesses in south Florida prosper, to thrive, and to grow. And he has always demonstrated his trademark diligence by enthusiastically advocating on behalf of all of south Florida’s business community.

Juan Jose’s generosity has also pushed the Ecuadorian-American Chamber of Commerce to undertake seven medical and humanitarian missions to Ecuador and one to the Dominican Republic.

Mr. Speaker, I rise today in memory of Princeton University mathematician John Forbes Nash, Jr., and his wife, Alicia, two beloved members of the Princeton, New Jersey, community, who died tragically over the Memorial Day weekend.

Many of us knew Dr. Nash for his groundbreaking, award-winning work in mathematics, his practical contributions to economic theory, and his journey to conquer mental illness.

Many more learned his story through his passionate portrayal in “A Beautiful Mind.”

He shared the 1994 Nobel Prize, and had just returned from celebrating his receipt of mathematics’ highest honor, the Abel Prize.

A University of Chicago economist, Roger Myerson, described Mr. Nash’s theories as equivalent to “that of the discovery of the DNA double helix in the biological sciences.”

In New Jersey, we knew both Dr. Nash and Alicia Nash for their kindness, their humility, their devotion to the community, and the many other ways they remained so down to earth after accomplishments that drew international praise and recognition.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to honor Juan Jose Malo on his retirement as the president of Miami’s Ecuadorian-American Chamber of Commerce.

Juan Jose has tirelessly worked to help the Ecuadorian American-owned and -operated businesses in south Florida prosper, to thrive, and to grow. And he has always demonstrated his trademark diligence by enthusiastically advocating on behalf of all of south Florida’s business community.

Juan Jose’s generosity has also pushed the Ecuadorian-American Chamber of Commerce to undertake seven medical and humanitarian missions to Ecuador and one to the Dominican Republic. Juan Jose specifically has sought to bring attention to the plight of the Ecuadorian people by founding the magazine “Revista Remesa,” ensuring that our community had the latest political and economic news about Ecuador.

Juan Jose, congratulations on your years of leadership. We know that you will continue your stellar work on behalf of all of south Floridians and the entire Ecuadorian American community.

Ms. WATSON COLEMAN. Mr. Speaker, I rise today in memory of Princeton University mathematician John Forbes Nash, Jr., and his wife, Alicia, two beloved members of the Princeton, New Jersey, community, who died tragically over the Memorial Day weekend.

Many of us knew Dr. Nash for his groundbreaking, award-winning work in mathematics, his practical contributions to economic theory, and his journey to conquer mental illness.

Many more learned his story through his passionate portrayal in “A Beautiful Mind.”

He shared the 1994 Nobel Prize, and had just returned from celebrating his receipt of mathematics’ highest honor, the Abel Prize.

A University of Chicago economist, Roger Myerson, described Mr. Nash’s theories as equivalent to “that of the discovery of the DNA double helix in the biological sciences.”
Far too often, the only thing standing in the way of treatment is the negative stigma associated with this disease. The stigma of treatment and medication, the stigma of anger and instability, the stigma of fear of the disease itself. At a time when there are 10 times more people with mental illness in jail than in State-funded psychiatric beds, we are not doing our job to help our loved ones wage this silent battle alone.

Last month during Mental Health Awareness Month, we recognized and thanked organizations like the Massachusetts Association for Behavioral Health for their critical work to fill the gaps in our system and wipe away the stigmas that deter so many from pursuing treatment.

**NATIONAL GUN VIOLENCE AWARENESS DAY**

(Ms. ADAMS asked and was given permission to address the House for 1 minute.)

Ms. ADAMS. Mr. Speaker, I rise today on the first National Gun Violence Awareness Day. Gun violence is an increasingly growing problem in our country, claiming the lives of hundreds of thousands nationwide each year. This must be addressed now.

Gun violence has taken the lives of America’s men, women, and children. In 2010, nearly 3,000 infants, children, and teens died as a result of gun violence. This is unacceptable.

In my State of North Carolina, gun violence is rampant. According to a 2013 Center for American Progress report, North Carolina ranked 15th in the Nation for gun violence. From 2001 through 2010, more than 11,000 North Carolinians died as a result of gun violence. These senseless crimes instill fear, pain, and insecurity in our communities.

My colleagues, we must band together to repair our communities and help stop gun violence.

**PROVIDING FOR CONSIDERATION OF H.R. 2577, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016, AND PROVIDING FOR CONSIDERATION OF H.R. 2578, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016**

Mr. SESSIONS. Mr. Speaker, by the direction on Committee on Rules, I call up House Resolution 267 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 267

Resolved, That (a) at any time after adoption of this resolution the Speaker may, pursuant to clause (5) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of any bill specified in section 2 of this resolution. The first reading of each such bill shall be dispensed with. All points of order against consideration of such bills shall be waived. General debate on each such bill shall be confined to that bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate each such bill shall be considered for amendment under the five-minute rule. Points of order against provisions in such bill that failure to comply with clause 2 of rule XIX are waived.

(b) During consideration of each such bill for amendment—

(1) each amendment, other than amendments provided for in paragraph (2), shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment except as provided in paragraph (2);

(2) no pro forma amendment shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate; and

(3) the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read.

(c) When the committee rises and reports any such bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on that bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The bills referred to in the first section of this resolution are as follows:

(a) The bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

(b) The bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), my friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

**GENERAL LEAVE**

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SESSIONS. Mr. Speaker, House Resolution 267 provides for a modified rule for separate consideration of H.R. 2578 and H.R. 2577. Under this rule, any Member may offer any amendments to the bills in question that comply with the rules of the House. It
also provides for 10 minutes of debate on each amendment considered. This approach has been what we call a standard rule for appropriations bills and was established and has been followed for this last year and the year before, and I believe it has been effective. It is the good way for this body to be able to effectively operate, allowing each and every Member of this body the chance to offer their amendments. This rule also accomplishes two important goals:

First, it reflects the majority's commitment to an open and transparent appropriations process. This rule will also allow for all Members to bring to this body their ideas that they have that they bring from back home, perhaps ideas from their own individual constituents about how we can make this appropriations process even better.

I think it is important that Members of Congress be given an opportunity to do this. It is a lawmaking process, and that is exactly what we are trying to do today for a robust opportunity for discussion. If an amendment complies with the rules of the House, it certainly will be given an up-or-down vote, if that Member chooses to do so. Second, this rule provides for reasonable time constraints. It is my belief that if Members' ideas are heard and the process by which we consider appropriations bills is done on a timely basis, then the House will benefit, and so will the people, so that we work effectively and efficiently at the same time. This rule, I believe, strikes a good balance, allowing all Members an opportunity to offer necessary amendments but also allowing the House to get its work done.

I estimate that we will spend about 18 hours in the process to get these bills done. Throughout this open process, the House will be able to make two great bills, I think, even better.

Mr. Speaker, the open process by which these two bills will be considered, if the rule is adopted, is not only a good thing, but I think it says something about the work that the Rules Committee is doing. I am proud to support these two underlying bills because they make tough decisions, and they prioritize the responsibilities of the Federal Government. We simply do not have enough money to spread around to not have to make tough decisions. These are tough decisions that are made.

Yesterday, at the Rules Committee, both of these bills were equally addressed on a bipartisan basis, and both the ranking member and the chairman of the subcommittee said they worked well together.

Obviously, not everybody was happy with how much they had to spend, but both of the ranking members—the Democrats who were present—addressed our committee and said that they were treated respectfully, that they were treated respectfully, and that it was an open and transparent process to achieve good things for the bills.

That is the hope that I have as we come to the floor today in that you and I know that the President will come to the floor with an open opportunity as a result of what we did in the Rules Committee, knowing that the process that took place back in the Appropriations Committee was well done.

Alarming, however, yesterday, we learned that President Obama has threatened to veto both of these bills because, as I quote him, they “drastically underfund critical investments.”

Let me see if I can break this down for you. It is our job to determine what those appropriations levels would be. We heard from the President of the United States when he presented his budget, and year after year after year, the President of the United States has failed to receive more than only several votes on his budget. I believe that what we have done by working carefully and meticulously through the budget process and through the appropriations process is needed to receive more than only several votes on his budget.

I believe that what we have done by working carefully and meticulously through the budget process and through the appropriations process is needed to receive more than only several votes on his budget.

I believe that the President is saying that he will veto these bills because he does not believe that we simply continue to spend more and more. This President has an insatiable appetite that we saw and have seen year after year after year.

Based upon his words, I would say back to him: Mr. President, please look at the merits of the work that the House of Representatives is doing on a bipartisan basis. We are trying to live within the parameters of a budget that has been established and that was voted on by Members of this body, that has the vast majority of the Members of this body to say, when compared to the President’s budget, this is the budget that I believe best represents what we can accomplish but what will work in the best interests of the American people, our constituents.

Mr. President, they are the same ones that you have across this great Nation. Mr. President, we are asking you to take a second look at how you listen to us and to watch the process that is going on here. I think it will develop itself into a better way for us to do business, and I would encourage the White House to look at that.

Mr. Speaker, a great Nation simply cannot exist without a plan that it does not have and be a great nation for very long. This last month, we crossed over the terrible, terrible threshold of going from $17 trillion to $18 trillion in debt, and we continue to add up this debt and live off that debt and add to the debt with the spending that we do. We believe that what we have got to do is become more responsible with the taxpayers' dollars and the future of this great Nation.

The law of the land and the law that the President has signed requires Congress to act within the requirements of the Budget Control Act. These were agreements that were made with the President of the United States yesterday, and that is what these bills do; yet the President, once again, is telling us: Please set aside the agreement that was made. I don't now like the thing that I agreed to, that I signed into law.

In some instances, they were some of the President's own ideas.

We need to understand that the American people want and expect us to see problems and to solve them and to stick to it. That is what this budget process is about, and that is exactly what this appropriations process is about.

Look, I disagree with the President. I believe that what we need to do is to live within the agreement of the Budget Control Act. My party, the Republicans, have worked to lower discretionary spending from nearly $1.5 trillion in 2009, where we were, to today in 2015, $1.014 trillion.

This is the difference between 2009 and 2015, in which excessive and out-of-control spending could have taken place but for the discipline of the Republican Party and the discipline of our Members and, might I say, of the American people, who have heard our call for having a plan, a plan which carefully moves America into the future, that lessens the amount of debt the American people have to take on, and that makes better opportunities for our children and grandchildren not having to pay back our excessive spending just because we are a group of people who thinks it is smarter than the people back home. We aren't.

They get also, Mr. Speaker, that we have to have a defined goal. We have to do exactly what they do back home, and that is to be responsible about a family budget, about a State budget, about a Federal Government budget.

That means disciplined accountability and a plan that you are willing to stick to, and that is exactly what we have done. We have worked hard to lower discretionary spending over these years, and the effort has saved more than $2 trillion over this period of time and, I believe, over what would have happened without such discipline.

I think this is a big win for the American people, and I think it is a big win for people who want, need, and expect Members of Congress to come to Washington and stick not only to a plan, but to a disciplined approach in trying to balance together the needs of this great Nation and its people and the need for us to look over the horizon at what our future would be.
I think that we have lowered spending and that we have had a chance to shrink the size of government. Certainly, what we are trying to do is to work at lowering the deficit or the amount of money that would have been added. These are the discussions that people back home have with their Members of Congress: What lies ahead? And how are you going to be able to make tough decisions?

I believe that the President of the United States is listening to this because we are, on a bipartisan basis, having these same discussions in the House of Representatives and in the committees on which our Members serve. Now is the time not to go back to liberal, reckless spending opportunities. They will always abound.

It is always easier to spend somebody else’s money. I just don’t think it is right, so the Republican Party is here on the threshold of two appropriations bills, and it is going to sell to the American people the confidence that we have that we can make this government work more effectively and more efficiently—yes, with fewer dollars, but with greater opportunities for efficiency.

I believe that both of these bills strike what is a balance, a balance between funding critical projects while making smart financial decisions. These two can be accomplished, and that is why we are trying to work together to prioritize it.

H.R. 2578, the Commerce, Justice, Science, and Related Agencies Appropriations Act of 2016, focuses on the true governmental interest: fighting crime; making decisions about how we keep terrorists at bay; keeping the American people safe; and supporting the U.S. economy at the same time by making smart investments in science, space, exports, and manufacturing. Certainly, in tough economic times, tough decisions are required, and that is exactly where we are.

Yesterday, we had a chance to hear from the Members of Congress—Republicans—one of them, the gentleman from Houston, Texas (Mr. CULBERSON), the subcommittee chairman. He talked about the bill reflecting smart but fair decisions. The decisions that he spoke about were that the legislation provided $51.4 billion in total discretionary, which was $661 million below the President’s request.

H.R. 2578 also prioritizes vital programs—essentially, built around law enforcement—Federal law enforcement—and their ability to aim at the problems that our citizens see and that, certainly, our law enforcement sees and to put a priority on national security, public safety and initiatives that also aim for job creation and economic growth. These are part of the priorities that have to be taken up, and, in fact, they were.

The second bill, H.R. 2577, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act of 2016. I believe, similarly had many of the same characteristics.

First of all, they are going to stick to exactly what we talked about in the budget, and they are going to have to strike a balance—a tough balance—but one which is based on the priorities of essential programs and on making responsible reductions to low-priority activities.

This bill provides $55.3 billion in discretionary funding, which is $9.7 billion below what the President wanted. Once again, the President does not want to stick to the budget agreement—an agreement which is in law, but that is what this body is going to do.

We are going to live within the law, and living within the law is what the American people expect as part of the plan. This bill allows for important investments in national transportation infrastructure, including investments in our national highways, railways, and airports. It also provides help to people who are in dire need of affordable housing and our law enforcement—and their ability to aim around law enforcement—Federal law enforcement, and that, certainly, our law enforcement would be able to make tough decisions.

Mr. Speaker, I learned a long time ago, when I became a scoutmaster for the Boy Scouts of America, that needs always outpace resources. Needs are always out there, and they are something that you just cannot continue to be a part of, but money is not always the answer.

Sometimes, a prioritization of the needs that you have to meet will then define you to a better process, one which is the American people can understand. That is what we are doing here today.

Like most Members, who will have an opportunity as a result of the work that we did last night in the Rules Committee, I have ideas that, I think, can help improve H.R. 2577. One of those ideas, I have brought to the floor many, many times in a bill; and during the debate on funding, I think I will have good ideas that will help make our country stronger, if this case, make transportation stronger.

It became clear to me a number of years ago that government subsidized rail service on Amtrak does not make economic sense. What we have looked at is that Amtrak takes money. Years and years and years ago, they agreed that they would quit taking government subsidies and would run the railroad as an east and west operation.

Instead, what did they do? They became a cross-country hauler. Every single long-distance route that Amtrak provides—those of more than 400 miles in length—operate at a loss every single month. There are 11 routes that cost double the amount of revenue that they create. That is why I have offered two important opportunities, which were amendments, to eliminate this.

The first would eliminate the funding for Amtrak’s long-distance routes, which have a total direct cost of more than twice the revenue. That means, if the cost is twice the revenue, then it would be eliminated.

The second would eliminate the funding for Amtrak’s worst performing line, the Sunset Limited. The Sunset Limited, which is an east-west and west-east operation is subsidized for every single ticket and for every single train by over $400 in government subsidies, a loss totalling $41.9 million last year alone.

Mr. Speaker, these are just some of the ideas. Mr. Speaker, you will be hearing about it later in the next 18-some hours of debate that will take place. This is a good thing about this rule. Members just like myself will have a chance to come and put their ideas as opportunities on the floor for other Members to consider. I think that is why we are here today, to work together on a process that will make our country even stronger.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. HASTINGS. Mr. Speaker, I thank the gentleman from Houston for yielding the chair of the Committee on Rules and my friend, for yielding the customary 30 minutes for debate.

I yield myself such time as I may consume, and I rise today in opposition to the rule and underlying bill. I think that is why we are here today, to work together on a process that will make our country even stronger.

Mr. Speaker, this rule provides for consideration of both H.R. 2578, the Commerce, Justice, Science, and Related Agencies Appropriations Act, as well as H.R. 2577, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act. Both, in my opinion, are woefully inadequate and underfunded pieces of legislation that serve as a slap in the face to hard-working Americans and a reminder of my Republican colleagues’ shortsighted and irresponsible attempt at achieving a balanced budget.

Last night, in his testimony before the Committee on Rules on H.R. 2577, Ranking Member DAVID PRICE made a statement that was not only profound but incredibly accurate. He responded to Republican sentiments that slashing domestic appropriations in isolation is a necessary evil by stating that “a great nation must invest in its future.” Indeed, the importance of this investment cannot be overstated. For too long, we have forced austerity measures upon appropriators that prevent the funding of programs that create jobs; bolster our economy; repair our National highways, transit systems, and infrastructure; that fund medical research; and provide safe, decent, and affordable housing for poor and vulnerable families, the elderly, and disabled.

It both saddens and frustrates me that my Republican friends continue to go after domestic programs that would unequivocally improve the lives of so many Americans while at the same time refusing to address the real drivers of our fiscal crisis, which are tax expenditures and mandatory spending.

It is unconscionable to me that we, as a nation, cannot come up with the
money to fund projects that repair and improve our country’s transportation infrastructure. I pointed out yesterday in the Committee on Rules that aside from all of the bridges that I talked about from Florida that are in need of repair, right here in Washington, the Memorial Bridge linking Alexandria into this city is in need of repair.

The initiative that provides grants to local law enforcement and first responders would also improve in our community, but we provide ourselves with an unlimited budget to fight foreign wars without a mechanism to pay for those costs. Enough already, Congress. How about an authorization for the use of force rather than the methods that are employed now for ongoing, undetermined, indefinite—it appears—wars?

The solution to our current fiscal circumstances lies not in withholding of necessary funding for essential domestic programs, but in comprehensive reform that considers—yes, considers—tax expenditures in addition to entitlements and appropriations cuts. That is how we balanced the budget in 1994 and to a relative degree in 1997, and we had, at that time, 4 years of balanced budgets. Adherence to these Republican budget principles I self-imposed by sequestration is ineffective, detrimental to our national progress, and just plain wrong.

The Commerce, Justice, Science Appropriations measure before us today is the instrument used to provide funding for many vital programs and agencies, such as the Department of Justice, Commerce, NASA, and the National Science Foundation. Despite the importance of fully funding these agencies, this bill is a prime example of the mindless austerity of sequestration and the misguided priorities of my Republican colleagues.

Time won’t permit to add context to how we got to sequestration, and my friend and colleague, the chairman of the Committee on Rules, is absolutely correct. The President did sign this measure, but that was at the instance of an awful lot of negotiations and the government being shut down.

I don’t stand here and point fingers at either side in this regard. I said yesterday in the Committee on Rules, and I repeat here, it is the fault of 435 voting Members of Congress that we allow for this measure to put us in the position of having to fund these two measures as well as others to come.

For example, this bill fails to adequately fund several Department of Justice grant programs and outright eliminates others, programs and funding that are critical to many State and local law enforcement activities. Specifically, the bill cuts $180 million from the Community Oriented Policing Services hiring program. This effectively eliminates a program that would put an additional 1,300 police officers on the force when the relationship between many of our communities and law enforcement is strained, why are we decimating a program dedicated to building trust and mutual respect between the police and the communities they serve?

In another startling policy decision by the majority, this bill eliminates, in its entirety, several other important programs, including the substance abuse treatment program.

I come to the floor today from a meeting this morning dealing with institutions for mental disease in which the community of persons who work in substance, addiction, and mental health are pleading for the changes necessary for them to be able to address the significant problem that our population faces from veterans, to civilians, to children, and to the elderly, and yet what we did in this measure is eliminate the Substance Abuse Treatment program.

We eliminate the Violent Gang and Gun Crime Reduction initiative at a time when we are witnessing, in our Nation, serious gun violence, and many of us are now dealing with the business of trying to highlight, at least on this one day, the epidemic of gun violence in our society and how it has cost lives and treasure.

This program, as offered, eliminates the National Center for Campus Public Safety.

Perhaps the most indicative of the misplaced funding priorities by the majority is the gun policy rider—yep, yep, a rider, not part of this bill, just kind of tucked in. It is society having to do with Cuba. We just tack these riders on, and this has been attached to this legislation.

Not only has the majority completely eviscerated important violence and gun crime reduction programs, they have attached a policy rider that cancels out a narrow, targeted reporting requirement on the sale of certain long guns sold in four border States. The purpose of this requirement is to determine the success of the initiative to purchase firearms weapons for Mexican drug cartels. This reporting requirement has been proven to be effective. Courts agreed that it does not restrict Second Amendment rights, so why is the majority including this irresponsible gun rider in a bill that largely funds public safety? The irony of this provision should not be lost on any of us.

Finally, in addition to cutting funding to important public safety programs, the majority eliminates the PAA’s ability to implement its NextGen program as well as maintain and improve aging facilities. In addition to its funding inadequacies, as has become custom under Republican leadership, this measure up legislative handouts to the trucking industry and other powerful interests at the expense of the safety of our constituents. Specifically, it is going to allow trucks to carry longer trailers across the country, make it harder for the Department of Transportation to mandate that drivers get more rest before they hit the road, and forbid the Department from raising the minimum insurance it requires trucks and buses to carry.

I wonder if we ever really talk to truckers and really ask them do they want to carry trains on roads—that is what it amounts to—and do they need the rest that they have requested for years. None of us are against the trucking industry, but these measures allow for something that should not occur. The latest data which is available shows that nearly 4,000 people died in accidents involving large trucks.

Last week, there were no less than three in the constituency I serve, including a 17-year-old extremely bright young girl who lost her life at the instance of a trucking incident.

Most of these 4,000 people were riding in another vehicle or were pedestrians. That is a 17 percent increase from the year 2009.

These provisions will make our highways less safe and do not belong in an appropriations bill. Trucking regulation should be openly debated as part...
of a comprehensive surface transportation bill, which, incidentally, we have been assured is on the horizon.

Currently, one out of every nine bridges in our country is structurally deficient, and congestion has never been worse. At the same time, our population is aging. We need to replace infrastructure billions over the next 30 years. Knowing this, we must not continue to wait for our bridges to collapse, our public transportation systems to malfunction, and our highways to deteriorate before we agree to adequate funding.

Just as it does for transportation and infrastructure initiatives, H.R. 2577 makes dramatic cuts to funding for housing support programs for poor and vulnerable individuals and families. One of the most striking of these reductions is the one levied against the public housing capital fund, making it only slightly higher than the monetary amount allocated in 1989, without accounting for inflation.

I held a housing forum on Saturday in the congressional district that I am privileged to serve, and I saw the pain that was expressed by the people in long waiting lines for section 8 housing and in the deteriorating public housing that is the 30-year at-risk period. It just pains me to talk about it and then to come up here and in this very week do more, if we follow our Republican friends, to cut these programs.

This bill also reduces funding for the Department of Housing and Urban Development’s Choice Neighborhoods Initiative. It slashes funding for Healthy Homes and lead hazard control grants, exposing the most underprivileged children to toxic lead poisoning.

It transfers money from the housing trust fund to fund the HOME program, taking funding away from a program which is reserved for the most economically disadvantaged and in the most need of assistance, and does nothing to increase access to safe and affordable housing for the elderly or disabled.

In short, this legislation undermines the continued viability of our Nation’s infrastructure and threatens our country’s economic competitiveness.

I fear that without these necessary investments in transportation, housing, science, commerce, and justice programs, the negative implication of Representative Price’s statement will become a reality. We will fail to remain a great Nation because we will fail to accommodate the demands of the future.

For these very important reasons, and many more that I could express, I oppose both the rule and the underlying bill, and I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

I know that I see one of our colleagues from the Rules Committee who wants to come speak, but I want to take just a second and respond in kind for my party, and that is that my party does recognize that there is much that does get accomplished because of the efforts of this government and the efforts of this Congress that fund good ideas and do things.

A number of years ago, we became faced with, however, a circumstance where, in our immediate future is to make sure that what means that this country has to borrow money. It is money that needs to be paid back.

But in the process of taking money, setting priorities and spending money, there are is something called interest on the debt. And that is, if money were free and you could just borrow money but not pay interest for it, I am sure we would not mind how much we borrowed.

But the bottom line is that is not the reality. The reality is that we have to pay for money that we borrow. And that debt which we have to pay money back for means that every single year the amount of money that we pay and that comes out of the pot of money gets larger and larger and larger. And paying back debt competes against money that we can spend on behalf of people.

And so, at some point, if you just buy off on that we have got to spend more and more and more, that means that we have to take more as debt and pay more of interest. And that competes in a marketplace, in a budget, against projects that we would like to do and that do not necessarily focus on the most needy and the most vulnerable in our society.

But we are spending, Mr. Speaker, an incredible amount of money. And we are trying to learn over time how to become more efficient, how to make our cities even better, how to create jobs, and how to educate people and to bring them forth in a mature way. That is what every great nation really does get accomplished because of the efforts of this government and the efforts of this Congress that fund good ideas and do things.

And so Republicans do stand for not spending more what we make so that we have more that we can make in a balanced budget today and spend in a way that creates a better future for our children and grandchildren.

The bottom line is, over the last 6 years, we have gone from a debt of $9 trillion to $18 trillion. Some could say that was while we slept, but that is not true. It happened while we were trying to offer better opportunities and resolve.

So, for the last 5 years, Republicans have said we are going to quit this runaway spending, we are going to make tough decisions, and we are going to protect this great Nation at the same time. But we are asking for the American people to also recognize what we are doing, Mr. Speaker. And just as I speak to you today, I speak to people back home, as other Members of Congress do, to constituents, and say we are trying to balance what we do over time with the efficiencies that keep this great Nation great.

I will be honest with you. We live in the greatest Nation in the world. And thank God we are Americans. We trust in God, but we also trust in discipline to make this great Nation even better. And that is what appropriations bills are about. Lack of regard, making this great Nation still great with discipline. And discipline has a lot to do with our ability to be a great Nation. I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

Before making my remarks, I just want to say in a challenging way to the chairman of the Rules Committee that if we continue to fix bridges, it takes people to fix that bridge. And the people who fix that bridge spend their money in the local areas and pay taxes, which brings revenue back in. And that is why we need to fix bridges, in my judgment.

I am pleased at this time to yield such time as he may consume to the gentleman from Massachusetts (Mr. McGovern), my good friend with whom it is a pleasure to serve with on the Rules Committee.

Mr. McGOVERN. I thank the gentleman from Florida for yielding, and I want to associate myself with his remarks.

Mr. Speaker, I rise today in strong opposition to this rule, which provides for consideration of the Transportation-HUD and CJS appropriations bills.

First, let me express my astonishment at the big giveaways to the trucking industry in this Transportation-HUD bill. This bill is loaded up with pet projects of the trucking industry that threaten the health and safety of the traveling public. The lack of regard for the safety and well-being of those on the roads and bridges is stunning. It is hard to believe that some of the provisions that are contained as policy riders in these appropriations bills are actually there. This bill should focus on strengthening America’s infrastructure, repairing crumbling bridges, investing in public transportation, and making our roads safer, but instead puts the trucking industry in the driving seat, leaving the average American left behind.

The bill would, one, increase truck weights in Idaho and Kansas; two, allow twin 33-foot trailers on interstate; three, delay full implementation of DOT’s hours of service rule, which requires minimum rest periods for truckers; and, four, prohibit the Department of Transportation from increasing minimum insurance requirements for big trucks and motor coaches.

Mr. Speaker, with all that we know, it is simply outrageous that we would allow bigger and heavier trucks on our highways.
Today’s bill is intended specifically to appropriate funds, not authorize new policy. Yet this is exactly what these policy riders are doing. They don’t belong on this bill.

Furthermore, there was not a single hearing on truck size and weight for these riders. There was not one subcommittee hearing, not one full committee hearing. These issues are important enough where they should be openly debated as part of a comprehensive surface transportation authorization bill, not tacked on to an appropriations bill. They don’t belong here. But this process has become so corrupted that anything goes. Committees of jurisdiction are routinely disregarded and disrespected.

Making these counterproductive policy changes before the Department of Transportation finishes their comprehensive truck size and weight study that was required by MAP–21 would be irresponsible. We should allow the Department of Transportation the time it needs to get their study right.

Simply put, these trucking industry riders will make our highways less safe at a time when our infrastructure funding is woefully inadequate and our roads and bridges are crumbling.

In the past 4 years, we have seen a dramatic 17 percent increase in the number of truck crash deaths and an alarming 28 percent increase in injuries. Instead of advancing safety measures to make our roads safer, Congress is about to roll back significant safety laws and regulations that will result in more deaths and more injuries on our roads and highways. In fatal truck and car crashes, 96 percent of the fatalities are occupants of the passenger car.

Mr. Speaker, public opinion is clear: Americans do not want bigger trucks or tired truck drivers on the road. Seventy-six percent of Americans opposed longer and heavier trucks, and 80 percent were opposed to increasing truck driver working and driving hours.

Yet here we are with authorizing language on an appropriations bill to make our roads less safe. Why are my friends doing this? It might be good policy for fundraising purposes, but it is lousy policy for the American people.

These dangerous riders don’t belong here. They threaten the safety of everyday Americans on the road, and we ought to insist that they be removed.

Mr. Speaker, I also wish to express my concern about the dangerous and backward-thinking riders that are included in both the CJS and Transportation-HUD Appropriations bills regarding Cuba.

Obviously, there are several Members here in this House who are nostalgic for the cold war, who are still living in the past. I just want to say, thanks to the leadership of President Obama and this administration, we are making real progress in normalizing relations with Cuba and connecting them with a 21st century economy. We are ending an embarrassing, dumb, and counter-productive policy that by all accounts has been a miserable failure for the last five decades.

In 2011, after President Obama reinstated the rules allowing Cuban Americans to visit their relatives on the island and permitting all Americans to send remittances to Cuba, hard-liners used the appropriations process to prevent the policies from being implemented. Thankfully, Senate Democrats kept the hard-liners’ provisions out of the omnibus bill, and legislation reversing the modest but hopeful travel and remittance reforms never reached the President’s desk.

As a result, hundreds of thousands of trips between the U.S. and Cuba have taken place every year since, reuniting families and increasing the number of Cubans receiving the economic support they need to run their own businesses and lead more independent lives.

Instead of celebrating the progress, hard-liners are once again trying to shut down the new openings for greater citizen diplomacy created by this administration. This is the wrong thing to do for America; this is the wrong thing to do for our country, and it is the wrong thing to do for the American people.

Mr. Speaker, for the first time in six decades, the United States Government is encouraging citizen diplomacy, greater travel, and telecommunications and other industries to build relationships and stronger ties with counterparts among the Cuban people and new entrepreneurs.

American businesses are already seeing the potential for economic growth. That is why JetBlue and other airlines are expanding charter services and planning commercial routes, why ferry companies are planning to set sail for Havana, why Airbnb and Netflix are hoping to build real businesses in the Cuban market, why entrepreneurs in red States and blue States alike are trying to position companies in their States to succeed.

The provisions in these bills are antibusines. Airlines and maritime businesses have already taken steps to initiate travel service to and from Cuba based on the administration’s December 17, 2014, announcement, and these provisions in these bills will block them.

Mr. Speaker, I also wish to express my concern about the dangerous and backward-thinking riders that are included in both the CJS and Transportation-HUD Appropriations bills regarding Cuba.

It is why Americans across the country and Cuban Americans in communities where they live are so deeply committed to a policy that puts the cold war behind us and puts our country on a path to creating a new and brighter future with Cuba.

Simply put, these provisions in these appropriations bills are trying to pull the plug on new efforts by U.S. citizens and U.S. companies to expand their presence in Cuba. As the policy moves forward, they keep trying to pull us back into the cold war and a policy that has failed for over 50 years.

Let’s be clear. The Transportation-HUD Appropriations bill would ground commercial aircraft flights that are scheduled to begin after March 15, 2015. JetBlue and Tampa International Airport are just two beneficiaries of the President’s new policy who would be adversely affected.

With new ferries leaving port, as much as $340 million would be pumped into Florida’s economy. These provisions would hold back that economic growth, hurting American businesses in Fort Lauderdale, Tampa, Orlando, and Miami.

Mr. Speaker, the CJS bill would shut down U.S. exports to Cuba in ways that will affect telecommunications firms now in negotiations to open up phone and Internet connections on the island.

Do we want Cubans to be better connected to the rest of the world? I thought the answer was a huge bipartisan yes, but apparently not. The ugly truth is that these provisions in these bills are hiding their real intent, and that is to shut down the growing connections between Cuba and the United States and our citizens and U.S. companies.

Mr. Speaker, I would just say to my colleagues that these provisions, first of all, do not belong in appropriations bills. They are authorizing language. They don’t belong in this debate.

I would suggest to them that these appropriations bills aren’t going to see the light of day as long as these provisions are in this bill. I would urge my colleagues to put the cold war behind them and to get rid of these provisions, and let’s move on to a better and more productive relationship.

Mr. SESSIONS. Mr. Speaker, the beautiful part about these last two speakers is that the rule allows them to go to the floor and to present an amendment to strike or to add anything that they would like to add into this bill. That is the beauty of what we are trying to do here today, Mr. Speaker.

I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield 30 seconds to the gentleman from Massachusetts (Mr. MCOVERN).

Mr. MCOVERN. Mr. Speaker, I would just respond to the chairman by saying the reason that they don’t belong even in this debate, frustrating is that important amendments are only given 10 minutes of debate, 5 minutes on each side. Some of these issues are important and deserve more than 5 minutes of debate.

We are not going to have debates. We are going to offer amendments and then, essentially, vote. I am not so excited about the way this rule has been constructed, especially given the fact that very little time is being allotted to discuss some of these important issues.

Mr. HASTINGS. Mr. Speaker, I would ask that you ask my good friend, the chairman of the Rules Committee, if he
is ready to close. I have no additional speakers at this time.

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman asking. I have no further speakers and, in fact, would, as we have done many times, allow the gentleman to offer his close, and then I would also.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

These bills exemplify the recklessness and the foolishness of the majority’s almost exclusive focus on domestic appropriations for deficit reduction, while leaving the main drivers of the deficit unaddressed. We cannot continue on this path if we intend to maintain our country’s economic competitiveness.

I urge my colleagues to vote “no” on the rule and underlying bills, and I yield back the balance of my time.

Mr. Speaker, I want to thank my two colleagues who serve on the Rules Committee, the gentlewoman Mr. MCGOVERN and the gentleman Mr. HASTINGS.

They are both not only extremely committed men to their constituency, but also to bettering this House of Representatives. Their voice and their words and their opportunities of which they stand up for, I have great respect for, and want to thank them for the character in which they have come after today’s not only debate, but yesterday’s debate that took a number of hours as we heard from four Members of this body about their ideas about how we should pursue these two appropriations bills.

Mr. Speaker, I want toConfine my comments to a perspective, and that is satisfaction that I have for the way in which this process is working today. I understand, as acknowledged in the very beginning, we have an issue with how much money we are going to spend.

I recognize we are back at 2008 levels in 2015 in most of these bills. I do acknowledge that I do acknowledge that we are asking—requiring—on government a chance to run their agencies—spend money back at 2008 spending levels.

I think that the process that we are going through will also be an advantage ultimately, sure, in the short-term, but ultimately, where we will look at this as a prioritization basis, where we will empower the government, if they work with us and if we work with them to understand how we can keep this country great—even spending less money—how we can continue to prioritize the decision making to where we can pick and choose what needs to be done.

Look, it doesn’t make me happy. It makes no Member of this body happy. Certainly, the Speaker, the gentleman from Florida, would recognize—you have needs in your district, I do, from Dallas, Texas, have needs in my immediate district and districts that are around.

The overwhelming need is all of us—and that is not to spend more than we can say and justify for our future because the dollars that we spend are borrowed. The dollars that we borrow and spend show up on our bottom-line debt, and it impacts everybody.

The bottom line is we have to pay back interest, just like any family that takes out money on a home loan or a credit card or something else. They have to be able to understand that takes away because they are paying for that, their ability to spend money in a different way. Our Republican majority is well aware of the demand that is placed on us, that we cannot go and do all the things that we would wish to do, but we have accepted and taken a pledge that we have given to the American people that they do get an understanding—that is we are not going to keep in the circumstance of spending money based upon taking out a loan because it is not good for our children, our grandchildren. It is not good for our future.

Mr. Speaker, today, we have had a chance to debate these two bills in this one rule. I think, once again, as I stated earlier, it is a commitment to transparency and openness that this body has and every Member retains here on the floor. You saw part of it today.

Through this open modified rule, each Member will have the opportunity to submit their ideas to two underlying bills, H.R. 2578 and H.R. 2577. Through this rule, the House will be able to work its way through majority rule floor votes and to make sure that the vital appropriations process is vigorous, is timely, and reflects the will of this body.

When this rule is adopted, a robust debate will take place in a way that will allow us to fund these important measures, over $100 billion. I think that as we talk about this, you can see, Mr. Speaker, that this body is getting its work done. It is getting its work done. We passed a budget.

We will pass the appropriations bills. We go home every weekend; we look our constituents in the eye, and we have to justify what we are doing. We are following a process that we said we would do. It is for the betterment of this country, for the American people.

Mr. Speaker, I urge support for the underlying bills, for this rule.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered. The SPEAKER pro tempore (Mr. JOLLY). The question is on the resolution.

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of this resolution will be followed by a 5-minute vote on approval of the Journal.

The vote was taken by electronic device, and there were—yeas 242, nays 180, not voting 10, as follows:

[Roll No. 268]

**YEAS—242**

Abraham

Adams

Adcock

Allen

Amash

Ashford

Babin

Baldett

Barr

Barton

Benjamin

Bilirakis

Bishop (MI)

Bishop (UT)

Black

Blackburn

Boggs

Brat

Bridenstine

Brooks (AL)

Brooks (FL)

Coffman

Cole

Collins (GA)

Collins (NY)

Cook

Côncord

Conaway

Corke

Costello (PA)

Cramer

Crawford

Cullomer

Curbello

Curtis

Davis

DeSantis

Desjarlais

Diaz-Balart

Donovan

Duffy

Duncan

Duncan (SN)

Elmers (NC)

Emerson

Fincher

Fleischmann

Fleming

Flores

Fox

Franks (AZ)

Frelinghuysen

Garrett

Gibbs

Gilson

Gohmert

Goodlatte

Gosar

Gosar

Granger

Graves (GA)

Graves (LA)

Graves (MO)

Griffith

Grothman

Guilfoyle

Guthrie

Hanna

Harper

Barton

Bartler

Heck (NV)

Henzel

Herrero

Hice, Jody B.

Hill

Holden

Huelskamp

Hunenuga (MI)

Herrera Beutler

Hoyt

Hunter

Hurd (TX)

Hurt (VA)

Issa

Jenkins (KS)

Jenkins (WV)

Johnson (OH)

Johnson, Sam

Jayapal

Joly

Jones

Joyce

Joyce (GA)

Katz

Kelly (PA)

King (IA)

King (NY)

Kinzinger (IL)

Kline

Knights

Kundra

LaMalfa

Lamborn

Lance

Lange

LaRocque

Lofgren

Long

Longworth

Love

Lucas

Lucas

Luedy

Lummis

MacArthur

Marchant

Marino

Masse

McCarthy

McClintock

McClure

McClintock

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Mr. BILIRAKIS changed his vote to No. 264 to Yes. Mr. BILIRAKIS asked unanimous consent to have the journal of the previous day ordered printed. Ordered, that the journal be printed, and that it be considered as read. The result of the vote was announced as above recorded. The motion to reconsider was laid on the table.

### THE JOURNAL

**The SPEAKER pro tempore.** The unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered. The question is on the Speaker's approval of the Journal.

This is a 5-minute vote. The vote was taken by electronic device, and there were—yeas 240, nays 170, answered “present” 2, not voting 20, as follows:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>240</th>
</tr>
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<tbody>
<tr>
<td>Nays</td>
<td>170</td>
</tr>
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</table>

#### PERSONAL EXPLANATION

**Mr. ROE of Tennessee.** Mr. Speaker, I was unable to vote today because of the death of a close friend. Had I been present, I would have voted: rollcall No. 269—"aye." rollcall No. 269—"aye."

**Mr. DELANEY.** Mr. Speaker, I was unable to cast my vote on rollcall Nos. 265 through 269.

Had I been present to vote on rollcall No. 265, I would have voted “aye.” Had I been present to vote on rollcall No. 266, I would have voted “aye.”

Had I been present to vote on rollcall No. 267, I would have voted “no.”

On this bill, H.R. 1335, I want to emphasize that I oppose this legislation because it would roll back the progress we’ve made in protecting fisheries, damaging our environment and economy, especially in the Chesapeake Bay.”

Had I been present to vote on rollcall No. 268, I would have voted “nay.” Had I been present to vote on rollcall No. 269, I would have voted “nay.”
Mrs. LAWRENCE. Mr. Speaker, I ask unanimous consent to withdraw myself as a cosponsor of H.R. 994. While I strongly support our American veterans, I am concerned about permanent changes to hard-won labor agreements.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

COMMERCIE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Mr. CULBerson. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 2578, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 287 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2578.

The Chair appoints the gentleman from West Virginia (Mr. MOONEY) to preside over the Committee of the Whole.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2578) making appropriations for the Department of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes, with Mr. MOONEY of West Virginia in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. CULBerson) and the gentleman from Pennsylvania (Mr. FATTAH) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CULBerson. Mr. Chairman, I yield myself such time as I may consume.

Today, I am very pleased to present to the House the fiscal year 2016 Commerce, Justice, Science, and Related Agencies Appropriations bill with my colleague, Mr. CHAKA FATTAH of Pennsylvania.

I would like to begin by thanking my ranking member CHAKA FATTAH of Pennsylvania. It has been a pleasure to work together closely on this legislation. I appreciate Mr. FATTAH’s approach to the bill. His input has improved the bill considerably. I look forward to working with him and all the members of the subcommittee as we move forward and go into conference with the Senate on this important legislation. I also want to thank Chairman HAL ROGERS of Kentucky and Ranking Member MOONEY of Pennsylvania for their help in putting this legislation together.

This is my first year chairing the Commerce, Justice, Science, and Related Agencies Subcommittee. It is an extraordinarily important committee that addresses the terrorism and other worthwhile efforts that the Federal Government is engaged, both in preserving and protecting lives and property of the American people and advancing scientific research and space exploration.

I am especially grateful to Chairman HAL ROGERS for his trust in me in this extraordinarily important assignment. I want to thank him also for his generous allocation to this subcommittee.

Mr. Speaker, the Republican Congress leadership has done our very best to live within our means, as every American must do, every business and every private citizen knows how important it is to only spend the money that you have on hand. Don’t spend more than you have got. We have in this Republican Congress done our very best through the appropriations process to live within our means.

Our subcommittee has—with that in mind, I am a proud follower of Dave Ramsey’s advice. I do so in my personal life and try to do so in representing the people of West Houston—don’t spend more money than you have got, and the money you have got you want to prioritize—and we have in this subcommittee prioritized the many agencies that we have responsibility for. In priority order, we have approached it with law enforcement number one and made sure that the FBI has got the resources they need to do their job of protecting against terrorists and espionage, cyber espionage. They are a growing problem that we see in so many ways. The enemies of the United States have figured out how to hardwire Trojan horses and back doors into telecommunications equipment. The FBI has just done a spectacular job of protecting this Nation in the area of cyber espionage and terrorism, and we have made the FBI a top priority in this legislation and assured that they have got all the money that they need to do their job.

We have also prioritized the work the Department of Justice is doing in enforcing our laws. We have made sure that scientific research, space exploration are prioritized, and America will preserve its leadership in the world in space exploration.

We have made sure that weather forecasting is funded and taken care of. Managing the Nation’s fisheries is extraordinarily important for our owners, Mr. Chairman, the subcommittee has funded programs such as the Byrne Formula Program and the State Criminal Alien Assistance Program funding, which compensate State and local taxpayers for the cost of housing people who are in the country illegally and have committed criminal acts in violation of State law and are housed in State prison facilities—that is the responsibility of the Federal Government—and we have funded that program to the highest extent that we can.

We have also funded youth mentoring programs, which have done such great work. We have created, in addition, Mr. Chairman, in this bill a $53 million community trust program that will fund police body cameras, body camera demonstration programs, and justice reinvestment initiatives.

I want to say a special thanks to our Texas State Senator Royce West, who just concluded the Texas legislative session. Texas became the first State in the Union to pass legislation controlling when, where, and how body camera data can be provided to law enforcement or in a criminal trial to make sure to protect the privacy rights of individuals. Under our legislation we make sure that State law controls when, where, and how police body camera data will be used.

H3660

CONGRESSIONAL RECORD — HOUSE

June 2, 2015
We have also made sure, Mr. Chairman, that NASA is fully funded in this legislation. We have provided an $18.5 billion funding level this year for NASA, which is a $519 million increase and is equal to the request we received from the President.

We have made sure to preserve America's leadership role in manned space exploration, planetary science, and made sure that we are also continuing to advance aeronautics research that NASA does such an extraordinarily important job in.

We have funded the continued development of the Orion crew vehicle at the level asked for by the White House and increased our resources for the Space Launch System to speed up when we will use that important launch system to get Americans back into orbit.

We have made sure that the National Science Foundation is fully funded. We increased the funding level for the National Science Foundation by $50 million above the historically high level they had in last year's bill.

We also included full funding for the very important BRAIN Initiative, which Ranking Member FATTAH has championed over the years, which promises to unlock the secrets of the single most important organ in the human body and promises great things for the future.

Mr. Chairman, we have also funded the National Oceanic and Atmospheric Administration, prioritizing weather forecasting and fisheries management in particular.

We made sure the Joint Polar Satellite System is funded, as well as the Geostationary Operational Environmental Satellite series.

We have, though, in order to live within our allocation, had to reduce funding in some other areas, eliminating those that no longer were necessary, those whose authorizations had expired, and, in fact, cut funding for more than a dozen bureaus and agencies that can operate with a little less.

Let me also point out in conclusion, Mr. Chairman, that we have in this legislation extraordinarily important oversight language that requires each agency under our jurisdiction to submit a spending plan to the subcommittee. We have capped the lifecycle costs for poorly performing programs. And we have also withheld some funding for the Department of Justice until the new Attorney General can demonstrate to us that the inspector general's recommendations regarding sexual harassment and inappropriate conduct are being implemented. I cannot stress that highly enough. When I met with the new Attorney General, that was one of the first things I brought to her attention.

We have also required, Mr. Chairman, that agencies that purchase very sensitive information technology or telecommunication systems conduct a supply chain risk assessment in consultation with the FBI to be sure that there are no hardwired Trojan horses or back doors in that communications equipment or computer equipment being purchased by the Federal Government in those agencies under our jurisdiction.

We are also requiring quarterly reporting on immigration judge performance and requiring agencies to provide inspectors general with timely information.

Finally, Mr. Chairman, I want to point out that our legislation today continues Second Amendment protections that have been built into the bill before. We have withheld funding, for example, to make sure that the United Nation's arms control treaty there has been some discussion about is not funded.

We have also prohibited the transfer or housing of GTMO prisoners into the United States.

But above all, the bottom line on this legislation is we want to ensure that the law as enacted by Congress is enforced. If an agency wants to have access to our constituents' hard-earned tax dollars, Mr. Chairman, they are going to need to demonstrate that they are enforcing the law as written by Congress, not based on some memorandum or some internal document. The law as written by Congress is fundamental to our entire system of government. Our liberty lies in the enforcement of law. It is the most fundamental principle of a republic. This great Nation was founded on that principle that no one is above the law and the law shall be enforced equally and fairly to everybody with due process.

Through our work on this subcommittee with the checks and balances that we have built into this legislation, the agencies under our jurisdiction are going to need to demonstrate that they are enforcing the law as written by Congress in order to entitle them to access to our taxpayers' very precious and hard-earned tax dollars.

Mr. Chairman, I reserve the balance of my time.
## TITLE I - DEPARTMENT OF COMMERCE

### International Trade Administration

<table>
<thead>
<tr>
<th align="left">Operations and administration</th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td align="left">Offsetting fee collections</td>
<td>472,000</td>
<td>506,750</td>
<td>472,000</td>
<td>---</td>
<td>-34,750</td>
</tr>
<tr>
<td align="left">Direct appropriation</td>
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<td>-10,000</td>
<td>-10,000</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td align="left">Bureau of Industry and Security</td>
<td>462,000</td>
<td>496,750</td>
<td>462,000</td>
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<td>-34,750</td>
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### Economic Development Administration

<table>
<thead>
<tr>
<th align="left">Economic Development Assistance Programs</th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td align="left">Salaries and expenses</td>
<td>213,000</td>
<td>227,500</td>
<td>213,000</td>
<td>---</td>
<td>-14,500</td>
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<td align="left">Total, Economic Development Administration</td>
<td>250,000</td>
<td>273,028</td>
<td>260,000</td>
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### Minority Business Development Agency

<table>
<thead>
<tr>
<th align="left">Minority Business Development</th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
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</thead>
<tbody>
<tr>
<td align="left">Salaries and expenses</td>
<td>30,000</td>
<td>30,016</td>
<td>32,000</td>
<td>+2,000</td>
<td>+1,984</td>
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</table>

### Economic and Statistical Analysis

<table>
<thead>
<tr>
<th align="left">Economic and Statistical Analysis</th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td align="left">Salaries and expenses</td>
<td>100,000</td>
<td>113,849</td>
<td>100,000</td>
<td>---</td>
<td>-13,849</td>
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</table>

### Bureau of the Census

<table>
<thead>
<tr>
<th align="left">Bureau of the Census</th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td align="left">Salaries and expenses</td>
<td>248,000</td>
<td>---</td>
<td>---</td>
<td>-248,000</td>
<td>---</td>
</tr>
<tr>
<td align="left">Current Surveys and Programs</td>
<td>---</td>
<td>277,873</td>
<td>265,000</td>
<td>+265,000</td>
<td>-12,873</td>
</tr>
<tr>
<td align="left">Periodic censuses and programs (old structure)</td>
<td>840,000</td>
<td>---</td>
<td>---</td>
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<td>---</td>
</tr>
<tr>
<td align="left">Periodic censuses and programs (new structure)</td>
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<td>1,222,101</td>
<td>848,000</td>
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<td>-374,101</td>
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<tr>
<td align="left">Total, Bureau of the Census</td>
<td>1,088,000</td>
<td>1,499,974</td>
<td>1,113,000</td>
<td>+25,000</td>
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</table>

### National Telecommunications and Information Administration

<table>
<thead>
<tr>
<th align="left">National Telecommunications and Information Administration</th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td align="left">Salaries and expenses</td>
<td>38,200</td>
<td>49,232</td>
<td>35,200</td>
<td>-3,000</td>
<td>-14,032</td>
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### United States Patent and Trademark Office

|:------------------------------------------|------------------|-----------------|-----|-----------------|-----------------|
| Salaries and expenses, current year fee funding | 3,458,000 | 3,272,000 | 3,272,000 | -186,000 | --- |
| Offsetting fee collections | --- | --- | --- | --- | --- |
| Total, United States Patent and Trademark Office | --- | --- | --- | --- | --- |

### National Institute of Standards and Technology

<table>
<thead>
<tr>
<th align="left">National Institute of Standards and Technology</th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td align="left">Scientific and Technical Research and Services</td>
<td>675,500</td>
<td>754,661</td>
<td>675,000</td>
<td>-500</td>
<td>-79,661</td>
</tr>
<tr>
<td align="left">Industrial Technology Services</td>
<td>138,100</td>
<td>306,000</td>
<td>130,000</td>
<td>-8,100</td>
<td>-176,000</td>
</tr>
<tr>
<td align="left">Manufacturing extension partnerships</td>
<td>(130,000)</td>
<td>(141,000)</td>
<td>(130,000)</td>
<td>---</td>
<td>(-11,000)</td>
</tr>
<tr>
<td align="left">Advanced manufacturing technology consortia</td>
<td>(5,100)</td>
<td>(15,000)</td>
<td>---</td>
<td>(-10,000)</td>
<td>(-15,000)</td>
</tr>
<tr>
<td align="left">Manufacturing innovation institutes coordination</td>
<td>---</td>
<td>(150,000)</td>
<td>---</td>
<td>---</td>
<td>(-150,000)</td>
</tr>
<tr>
<td align="left">Construction of research facilities</td>
<td>50,300</td>
<td>59,000</td>
<td>50,000</td>
<td>-300</td>
<td>-9,000</td>
</tr>
<tr>
<td align="left">Working Capital Fund (by transfer)</td>
<td>(2,000)</td>
<td>(2,000)</td>
<td>(2,000)</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td align="left">Total, National Institute of Standards and Technology</td>
<td>863,900</td>
<td>1,119,661</td>
<td>855,000</td>
<td>-8,900</td>
<td>-264,661</td>
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</table>
### National Oceanic and Atmospheric Administration

<table>
<thead>
<tr>
<th>Description</th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. FY 2015 Enacted</th>
<th>Bill vs. FY 2016 Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operations, Research, and Facilities</td>
<td>3,202,398</td>
<td>3,413,360</td>
<td>3,147,877</td>
<td>-54,521</td>
<td>-265,483</td>
</tr>
<tr>
<td>(by transfer)</td>
<td>(116,000)</td>
<td>(130,164)</td>
<td>(130,164)</td>
<td>(+14,164)</td>
<td>---</td>
</tr>
<tr>
<td>Promote and Develop Fund (transfer out)</td>
<td>(-116,000)</td>
<td>(-130,164)</td>
<td>(-130,164)</td>
<td>(-14,164)</td>
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</tr>
<tr>
<td>Subtotal</td>
<td>3,202,398</td>
<td>3,413,360</td>
<td>3,147,877</td>
<td>-54,521</td>
<td>-265,483</td>
</tr>
<tr>
<td>Procurement, Acquisition and Construction</td>
<td>2,179,225</td>
<td>2,498,679</td>
<td>1,960,034</td>
<td>-219,191</td>
<td>-538,645</td>
</tr>
<tr>
<td>Pacific Coastal Salmon Recovery</td>
<td>85,000</td>
<td>58,000</td>
<td>65,000</td>
<td>---</td>
<td>+7,000</td>
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<tr>
<td>Fishermen’s Contingency Fund</td>
<td>350</td>
<td>350</td>
<td>350</td>
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<tr>
<td>Fishery Finance Program Account</td>
<td>-6,000</td>
<td>-6,000</td>
<td>-6,000</td>
<td>---</td>
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<tr>
<td>Pacific groundfish fishing capacity reduction loan</td>
<td>---</td>
<td>10,300</td>
<td>---</td>
<td>---</td>
<td>-10,300</td>
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<tr>
<td>Total, National Oceanic and Atmospheric Administration</td>
<td>5,440,973</td>
<td>5,974,689</td>
<td>5,167,261</td>
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<td>-807,428</td>
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**Departmental Management**

<table>
<thead>
<tr>
<th>Description</th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. FY 2015 Enacted</th>
<th>Bill vs. FY 2016 Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and expenses</td>
<td>56,000</td>
<td>71,095</td>
<td>50,000</td>
<td>-6,000</td>
<td>-21,095</td>
</tr>
<tr>
<td>Renovation and Modernization</td>
<td>4,500</td>
<td>24,062</td>
<td>3,989</td>
<td>---</td>
<td>-20,073</td>
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<tr>
<td>Office of Inspector General</td>
<td>30,596</td>
<td>35,190</td>
<td>32,000</td>
<td>-3,190</td>
<td>---</td>
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<tr>
<td>Total, Departmental Management</td>
<td>91,096</td>
<td>130,347</td>
<td>85,989</td>
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<td>-44,358</td>
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</table>

**Total, title I, Department of Commerce**

<table>
<thead>
<tr>
<th>Description</th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. FY 2015 Enacted</th>
<th>Bill vs. FY 2016 Request</th>
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</thead>
<tbody>
<tr>
<td>Title I, Department of Commerce</td>
<td>8,466,669</td>
<td>9,802,632</td>
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<tr>
<td>(by transfer)</td>
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<td>132,164</td>
<td>132,164</td>
<td>+14,164</td>
<td>---</td>
</tr>
<tr>
<td>(transfer out)</td>
<td>-118,000</td>
<td>-132,164</td>
<td>-132,164</td>
<td>-14,164</td>
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### TITLE II - DEPARTMENT OF JUSTICE

#### General Administration

<table>
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<tr>
<th>Description</th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. FY 2015 Enacted</th>
<th>Bill vs. FY 2016 Request</th>
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</thead>
<tbody>
<tr>
<td>Salaries and expenses</td>
<td>111,500</td>
<td>119,437</td>
<td>105,000</td>
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<td>-14,437</td>
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<td>Justice Information Sharing Technology</td>
<td>25,842</td>
<td>37,440</td>
<td>25,842</td>
<td>---</td>
<td>11,598</td>
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<tr>
<td>Total, General Administration</td>
<td>137,342</td>
<td>156,877</td>
<td>130,842</td>
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<td>-26,035</td>
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#### Administrative Review and Appeals

<table>
<thead>
<tr>
<th>Description</th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. FY 2015 Enacted</th>
<th>Bill vs. FY 2016 Request</th>
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<tr>
<td>Administrative review and appeals</td>
<td>351,072</td>
<td>485,381</td>
<td>426,791</td>
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<td>Transfer from immigration examinations fee account</td>
<td>-4,000</td>
<td>-4,000</td>
<td>-4,000</td>
<td>---</td>
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</tr>
<tr>
<td>Direct appropriation</td>
<td>347,072</td>
<td>484,381</td>
<td>422,791</td>
<td>+75,719</td>
<td>-61,590</td>
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#### Office of Inspector General

<table>
<thead>
<tr>
<th>Description</th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. FY 2015 Enacted</th>
<th>Bill vs. FY 2016 Request</th>
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<tbody>
<tr>
<td>Office of Inspector General</td>
<td>88,577</td>
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### United States Parole Commission

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<tr>
<th>Description</th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. FY 2015 Enacted</th>
<th>Bill vs. FY 2016 Request</th>
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</thead>
<tbody>
<tr>
<td>Salaries and expenses</td>
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<td>13,547</td>
<td>13,308</td>
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#### Legal Activities

<table>
<thead>
<tr>
<th>Description</th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. FY 2015 Enacted</th>
<th>Bill vs. FY 2016 Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and expenses, general legal activities</td>
<td>885,000</td>
<td>1,037,386</td>
<td>885,000</td>
<td>---</td>
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<tr>
<td>Vaccine Injury Compensation Trust Fund</td>
<td>7,833</td>
<td>9,358</td>
<td>8,000</td>
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<td>+1,358</td>
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<tr>
<td>Salaries and expenses, Antitrust Division</td>
<td>162,246</td>
<td>164,977</td>
<td>162,246</td>
<td>---</td>
<td>-2,731</td>
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<tr>
<td>Offsetting fee collections - current year</td>
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<td>-124,000</td>
<td>-124,000</td>
<td>-24,000</td>
<td>---</td>
</tr>
<tr>
<td>Direct appropriation</td>
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<td>40,977</td>
<td>38,246</td>
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<td>-24,000</td>
</tr>
</tbody>
</table>

#### Salaries and expenses, United States Attorneys

<table>
<thead>
<tr>
<th>Description</th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. FY 2015 Enacted</th>
<th>Bill vs. FY 2016 Request</th>
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</thead>
<tbody>
<tr>
<td>United States Trustee System Fund</td>
<td>1,960,000</td>
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<td>1,995,000</td>
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<td>-162,000</td>
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<tr>
<td>Direct appropriation</td>
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<td>68,107</td>
<td>63,908</td>
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<td>-2,199</td>
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</table>
### COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2578)

(Amounts in thousands)

<table>
<thead>
<tr>
<th></th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Salaries and expenses, Foreign Claims Settlement Commission</strong></td>
<td>2,326</td>
<td>2,374</td>
<td>2,326</td>
<td>---</td>
<td>-48</td>
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<tr>
<td><strong>Fees and expenses of witnesses</strong></td>
<td>270,000</td>
<td>270,000</td>
<td>270,000</td>
<td>---</td>
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<tr>
<td><strong>Salaries and expenses, Community Relations Service</strong></td>
<td>12,250</td>
<td>14,449</td>
<td>13,000</td>
<td>+759</td>
<td>-1,446</td>
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<tr>
<td><strong>Assets Forfeiture Fund</strong></td>
<td>20,514</td>
<td>20,514</td>
<td>---</td>
<td>-20,514</td>
<td>-20,514</td>
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<tr>
<td><strong>Total, Legal Activities</strong></td>
<td>3,220,189</td>
<td>3,493,378</td>
<td>3,275,480</td>
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<td>-217,898</td>
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**United States Marshals Service**

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<thead>
<tr>
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<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
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</thead>
<tbody>
<tr>
<td><strong>Salaries and expenses</strong></td>
<td>1,196,000</td>
<td>1,230,581</td>
<td>1,220,000</td>
<td>+25,000</td>
<td>-10,581</td>
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<tr>
<td><strong>Construction</strong></td>
<td>9,800</td>
<td>15,000</td>
<td>11,000</td>
<td>+1,200</td>
<td>0</td>
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<tr>
<td><strong>Federal Prisoner Detention</strong></td>
<td>495,307</td>
<td>1,454,414</td>
<td>1,058,081</td>
<td>+562,774</td>
<td>-396,333</td>
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<tr>
<td><strong>Total, United States Marshals Service</strong></td>
<td>1,700,107</td>
<td>2,699,995</td>
<td>2,289,081</td>
<td>+388,974</td>
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**National Security Division**

<table>
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<tr>
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<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
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</thead>
<tbody>
<tr>
<td><strong>Salaries and expenses</strong></td>
<td>93,000</td>
<td>96,596</td>
<td>95,000</td>
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**Interagency Law Enforcement**

<table>
<thead>
<tr>
<th></th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Interagency Crime and Drug Enforcement</strong></td>
<td>507,194</td>
<td>519,301</td>
<td>510,000</td>
<td>+2,806</td>
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</table>

**Federal Bureau of Investigation**

<table>
<thead>
<tr>
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<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
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</thead>
<tbody>
<tr>
<td><strong>Salaries and expenses</strong></td>
<td>3,378,089</td>
<td>3,413,813</td>
<td>3,444,306</td>
<td>+66,217</td>
<td>+30,493</td>
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<tr>
<td><strong>Counterintelligence and national security</strong></td>
<td>4,948,480</td>
<td>5,000,812</td>
<td>5,045,480</td>
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<tr>
<td><strong>Subtotal</strong></td>
<td>8,326,569</td>
<td>8,414,625</td>
<td>8,489,786</td>
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<td>+75,161</td>
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<tr>
<td><strong>Construction</strong></td>
<td>110,000</td>
<td>68,982</td>
<td>57,882</td>
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<td>-11,000</td>
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<tr>
<td><strong>Total, Federal Bureau of Investigation</strong></td>
<td>8,436,569</td>
<td>8,483,607</td>
<td>8,547,668</td>
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<td>+64,161</td>
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**Drug Enforcement Administration**

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<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
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<tbody>
<tr>
<td><strong>Salaries and expenses</strong></td>
<td>2,400,000</td>
<td>2,463,123</td>
<td>2,445,459</td>
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<td><strong>Diversion control fund</strong></td>
<td>-366,680</td>
<td>-371,514</td>
<td>-371,514</td>
<td>-4,834</td>
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<tr>
<td><strong>Total, Drug Enforcement Administration</strong></td>
<td>2,033,320</td>
<td>2,091,609</td>
<td>2,073,945</td>
<td>+40,625</td>
<td>-17,664</td>
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**Bureau of Alcohol, Tobacco, Firearms and Explosives**

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<tr>
<th></th>
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<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
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</thead>
<tbody>
<tr>
<td><strong>Salaries and expenses</strong></td>
<td>1,201,000</td>
<td>1,281,158</td>
<td>1,250,000</td>
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<td>-11,158</td>
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**Federal Prison System**

<table>
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<tr>
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<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Salaries and expenses</strong></td>
<td>6,815,000</td>
<td>7,204,158</td>
<td>6,951,500</td>
<td>+136,500</td>
<td>-252,658</td>
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<tr>
<td><strong>Buildings and facilities</strong></td>
<td>106,000</td>
<td>140,564</td>
<td>230,000</td>
<td>+124,000</td>
<td>+89,436</td>
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<tr>
<td><strong>Limitation on administrative expenses, Federal Prison Industries, Incorporated</strong></td>
<td>2,700</td>
<td>2,700</td>
<td>2,700</td>
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<td>---</td>
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<tr>
<td><strong>Total, Federal Prison System</strong></td>
<td>6,923,700</td>
<td>7,347,422</td>
<td>7,184,200</td>
<td>+260,500</td>
<td>-163,222</td>
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</table>

**State and Local Law Enforcement Activities**

**Office on Violence Against Women:**

- Prevention and prosecution programs | 430,000 | 473,500 | 479,000 | +49,000 | +5,500 |

**Office of Justice Programs:**

- Research, evaluation and statistics | 111,000 | 151,900 | --- | -111,000 | -151,900 |
- State and local law enforcement assistance | 1,241,000 | 1,142,300 | 1,015,400 | -226,600 | -126,900 |
- Juvenile justice programs | 251,500 | 339,400 | 183,500 | -68,000 | -158,900 |
### Title III - Science

#### National Aeronautics and Space Administration

<table>
<thead>
<tr>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
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<tbody>
<tr>
<td>5,244,700</td>
<td>5,286,600</td>
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<td>-7,200</td>
<td>-51,100</td>
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<tr>
<td>596,000</td>
<td>625,000</td>
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<td>29,000</td>
<td>-99,800</td>
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<tr>
<td>3,827,800</td>
<td>4,293,000</td>
<td></td>
<td>677,900</td>
<td>253,400</td>
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<tr>
<td>2,758,900</td>
<td>2,768,600</td>
<td></td>
<td>9,700</td>
<td>-74,500</td>
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<tr>
<td>419,100</td>
<td>425,000</td>
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<td>6,900</td>
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<tr>
<td>18,010,200</td>
<td>18,529,100</td>
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<td>+518,900</td>
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#### National Science Foundation

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<tr>
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<tr>
<td>5,866,125</td>
<td>6,116,780</td>
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<tr>
<td>127,520</td>
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<tr>
<td>5,993,645</td>
<td>5,863,845</td>
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#### Major Research Equipment and Facilities Construction

<table>
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<tr>
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<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
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<td>200,760</td>
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<td>866,000</td>
<td>866,000</td>
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<td>325,000</td>
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<td>14,430</td>
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<tr>
<td>7,324,205</td>
<td>7,392,200</td>
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#### Title IV - Related Agencies

<table>
<thead>
<tr>
<th>FY 2015</th>
<th>FY 2016</th>
<th>Bill</th>
<th>Bill vs. FY 2015</th>
<th>Bill vs. FY 2016</th>
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<tbody>
<tr>
<td>9,200</td>
<td>9,413</td>
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<tr>
<td>384,500</td>
<td>373,112</td>
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### COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS BILL, 2016 (H.R. 2578)

**Amounts in thousands**

<table>
<thead>
<tr>
<th></th>
<th>FY 2015 Enacted</th>
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<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
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</thead>
<tbody>
<tr>
<td><strong>International Trade Commission</strong></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Salaries and expenses</td>
<td>84,500</td>
<td>131,500</td>
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<td>---</td>
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<tr>
<td><strong>Legal Services Corporation</strong></td>
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<tr>
<td>Payment to the Legal Services Corporation</td>
<td>375,000</td>
<td>452,000</td>
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<td>-75,000</td>
<td>-152,000</td>
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<tr>
<td><strong>Marine Mammal Commission</strong></td>
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<tr>
<td>Salaries and expenses</td>
<td>3,340</td>
<td>3,431</td>
<td>3,340</td>
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<td>-91</td>
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<td><strong>Office of the U.S. Trade Representative</strong></td>
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<tr>
<td>Salaries and expenses</td>
<td>54,250</td>
<td>58,268</td>
<td>54,250</td>
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<tr>
<td><strong>State Justice Institute</strong></td>
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<tr>
<td>Salaries and expenses</td>
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<td>5,121</td>
<td>5,121</td>
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<tr>
<td><strong>Total, title IV, Related Agencies</strong></td>
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<td>1,030,845</td>
<td>820,911</td>
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#### TITLE V - GENERAL PROVISIONS

<table>
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<th>Bill</th>
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<th>Bill vs. Request</th>
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<tr>
<td>DOC Departmental Management, Franchise Fund (recission)</td>
<td>-2,906</td>
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<td>---</td>
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<tr>
<td>DOC, National Technical Information Service (recission)</td>
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<td>---</td>
<td>-10,000</td>
<td>-10,000</td>
<td>-10,000</td>
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<tr>
<td>DOC, Economic Development Assistance Programs (recission)</td>
<td>-5,000</td>
<td>---</td>
<td>---</td>
<td>+5,000</td>
<td>---</td>
</tr>
<tr>
<td>DOJ, Working Capital Fund (recission)</td>
<td>-99,000</td>
<td>-55,000</td>
<td>-100,000</td>
<td>-1,000</td>
<td>-45,000</td>
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<tr>
<td>DOJ, Tactical Law Enforcement Wireless Communications (recission)</td>
<td>-2,000</td>
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<td>---</td>
<td>+2,000</td>
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<tr>
<td>DOJ, Detention Trustee (recission)</td>
<td>-23,000</td>
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<td>---</td>
<td>+23,000</td>
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<tr>
<td>DOJ, Assets Forfeiture Fund (recission)</td>
<td>-193,000</td>
<td>-304,000</td>
<td>---</td>
<td>+195,000</td>
<td>+304,000</td>
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<tr>
<td>FBI, Salaries and Expenses, nondefense (recission)</td>
<td>---</td>
<td>-49,000</td>
<td>-49,000</td>
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<tr>
<td>FBI, Salaries and Expenses, defense (recission)</td>
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<td>-71,000</td>
<td>-71,000</td>
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<tr>
<td>DOJ, Salaries and expenses, general legal activities (recission)</td>
<td>-10,000</td>
<td>---</td>
<td>---</td>
<td>+10,000</td>
<td>---</td>
</tr>
<tr>
<td>DOJ, Salaries and expenses, Antitrust Division (recission)</td>
<td>-6,000</td>
<td>---</td>
<td>---</td>
<td>+6,000</td>
<td>---</td>
</tr>
<tr>
<td>DOJ, Salaries and expenses, U.S. Attorneys (recission)</td>
<td>-9,000</td>
<td>---</td>
<td>---</td>
<td>+9,000</td>
<td>---</td>
</tr>
<tr>
<td>Federal Prisoner Detention (recission)</td>
<td>-188,000</td>
<td>-69,500</td>
<td>-69,500</td>
<td>+116,500</td>
<td>---</td>
</tr>
<tr>
<td>DOJ, ATF, Salaries and expenses (recission)</td>
<td>-3,200</td>
<td>---</td>
<td>---</td>
<td>+3,200</td>
<td>---</td>
</tr>
<tr>
<td>Violence against women prevention and prosecution programs (recission)</td>
<td>-18,000</td>
<td>-5,020</td>
<td>-15,000</td>
<td>+1,000</td>
<td>-9,080</td>
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<tr>
<td>Office of Justice programs (recission)</td>
<td>-62,500</td>
<td>---</td>
<td>-40,000</td>
<td>+42,500</td>
<td>-40,000</td>
</tr>
<tr>
<td>COPS (recission)</td>
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<td>-10,000</td>
<td>-20,000</td>
<td>+20,000</td>
<td>-10,000</td>
</tr>
<tr>
<td><strong>Total, title V, General Provisions</strong></td>
<td>-679,606</td>
<td>-563,520</td>
<td>-374,500</td>
<td>+305,106</td>
<td>+189,020</td>
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**Grand total**

<table>
<thead>
<tr>
<th></th>
<th>FY 2015 Enacted</th>
<th>FY 2016 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
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</thead>
<tbody>
<tr>
<td>Appropriations</td>
<td>61,073,092</td>
<td>65,768,653</td>
<td>62,473,836</td>
<td>+1,400,744</td>
<td>-3,294,817</td>
</tr>
<tr>
<td>(by transfer)</td>
<td>(61,752,698)</td>
<td>(66,332,173)</td>
<td>(62,848,336)</td>
<td>(+1,095,638)</td>
<td>(-3,463,837)</td>
</tr>
<tr>
<td>(transfer out)</td>
<td>-679,606</td>
<td>-563,520</td>
<td>-374,500</td>
<td>+305,106</td>
<td>+189,020</td>
</tr>
</tbody>
</table>
Mr. FAITAH. Mr. Chair. I yield myself such time as I may consume.

Let me first, since this is my first appearance on the floor since the tragic news of the Vice President’s son’s death, offer my condolences. I am sure all of my colleagues and the people of Philadelphia, as one of our own since they are nearby neighbors.

I also want to offer my sincere condolences and concern for the people of Texas, given the tragedy of the deaths and the severe weather incidents there that have occasioned the flooding.

We rise today in moving an appropriations bill, the Commerce, Justice, Science bill. The chairman and the ranking member from New York have assisted the subcommittee in its work. I want to thank the subcommittee chairman for all of the cooperation that has been extended.

He has pointed to a number of the circumstances in which he has helped make sure that the authorities that we are interested in were accommodated in the bill, and I want to talk a little bit about that.

One is in the area of brain science, neuroscience. The BRAIN Initiative is critically important. We have some 50 million Americans suffering from brain-related diseases or disorders. Fifty million in a country of a little over 300 million is a very significant number.

The diseases themselves, everything from Alzheimer’s to epilepsy, autism, brain cancer—in the case of the Vice President’s son—a whole host of challenges that cost our country in not just financial ways, but affect so many families.

I want to thank the chairman for his continued cooperation and work with me on what I think is the most important area of scientific discovery that we need to be focused on as a nation.

Also important youth mentoring, the work in terms of supporting our efforts to make sure that millions of the Nation’s young people have the appropriate guidance that they need, such as the great congressionally chartered organizations like the Boys & Girls Clubs of America; the YMCA; and Big Brothers Big Sisters of America, which is celebrating their 100th anniversary this month. I want to thank him for that.

I could go on through a laundry list of anything and everything, in which we have worked very closely together; and there is nothing that could be improved upon in terms of the process between the interactions between the majority and the minority on this bill.

There is an elephant in the room, no pun intended, in the sense that the majority has an absolute view about the budget allocations, given the Budget Control Act, and see that as something that limits our ability to meet the challenges of our great Nation.

The minority has the view that we need to move away from that budget control agreement and move away from these automatic caps and meet the needs, as the Constitution indicated that the Appropriations Committee’s job was, to meet the needs of our great Nation. We know that there are needs that are going to be met.

The chairman just talked about how important our system of laws were. Well, in this bill, we fall short, at least at this moment, of what we need to fully do to fund the Legal Services Corporation, which was established under a Republican administration; but it provides services, not to Democrats or Republicans but to Americans all across our country, to provide access to the courts and to make sure that they can have due process in civil litigation. We know that we are short there.

We have a constitutional responsibility to fund the Census. We are going to, at the moment of that. Now, we hope that we will improve this bill. We can’t improve the process, but we can improve the product as we go toward a conference with the Senate.

There are areas related to NASA, even though we funded above $18 billion, which is a historic commitment to NASA, that we still are not dealing with the pressing issues of fully funding Commercial Crew which requires—we have now paid out $500 million to our Russian counterparts to transport astronauts to the International Space Station, and we are going to have to continue that longer than we need to because we are not able, under the allocation, to meet our responsibilities and the needs on the Commercial Crew appropriations.

Now, Galileo, 400 years ago, pointed us toward Europa. I agree with the chairman that the need to fully explore and to bring back a sample and to do everything else necessary to fully understand what the potential may be is an important effort, but also funding space technology and our Commercial Crew Program. The chairman agrees with me—are going to be important efforts for us to try to improve in this bill as we go towards conference with the Senate.

The minority can’t shirk its responsibility to point out these shortcomings. Having pointed them out, I do want to make the point, though, that the working relationship is one that I think appropriately reflects the kind of cooperation that we have in the House. We want all views to be considered, and I know that every offering of a view from the minority has been fully considered by the chairman.

I thank him, and I want to thank his staff, and my staff of the committee because they have worked very hard for us to come to this moment.

We are at a point in the process in which the majority will have its way. There eventually will be a Senate bill, but we also have to weigh in the administration’s viewpoint in order to have a law of the land.

The administration has issued a statement on this bill, and in appropriate ways, it compliments the subcommittee for its foresight on a range of points, but it also strongly recommends changes in directions in appropriations—a variety of areas that the administration thinks would hold our country back.

I think that there is a lot to be said about fiscal prudence. We need to make sure that we are operating in a fiscally responsible way.

This Nation at its founding, at the point in which we had to separate ourselves from the British, we borrowed a few dollars. It costs us something at almost every point in the history of our country, as in the case for most families and most businesses, in which you have to make investments and which sometimes those investments cause you to have an imbalance for a moment or for a period of time.

There is a reason why we have mortgages, so that people can buy homes, and we invest in student loans so that young people can get an education. There is a need for us, from time to time, to look beyond the immediate balance of the books to understand what our calling is.

We say, sometimes, that we are an exceptional nation. Exceptionalism requires us to have some foresight. We know that this is an age of innovation and scientific discovery. Some have suggested that there is nothing new under the Sun, but we know that is not so.

Just in recent months, we found the largest volcano on Earth—just discovered. We found in drought-stricken parts of Africa, deep down underneath the earth, some of the largest aquifers of water. We have now discovered a warmblooded fish for the first time ever and a new species of bird in China. This is not an age in which discovery is not possible.

This is a time for our country where we should be investing in science and innovation. We have a need to as a country, as I mentioned, of just some 300-million plus, when we compete against billion-plus populated countries like China and India, we can’t afford to leave any of our young people in the shadows. We can’t afford to not invest in science and innovation.

I want to thank the chairman for what he has done. I want to tell him that we will continue to work with him as we go forward because I believe what we have here today is not a perfect bill, but the foundation for what will be, I think, the best Commerce, Justice, Science bill that could be produced.

It is a beginning of that process, and I want to thank him. I look forward to the debate in the amendment process. I reserve the balance of my time.

Mr. CULBERSON. Mr. Chair, it is my privilege to yield such time as he may consume to the gentleman from Kentucky (Mr. Rogers), the chairman of the Appropriations Committee.

Mr. ROGERS of Kentucky. I thank Chairman CULBERSON for yielding me the time.
Mr. Chairman, I am proud to announce my support of this bill. It contains $51.4 billion for effective, proven programs within the Departments of Justice and Commerce, as well as NASA and the National Science Foundation. Within that total, funding is targeted that programs vital to our economic development, our public safety, and national security.

These important programs, overall, receive a boost of $1.3 billion over last year, allowing us to make critical investments in law enforcement, counterterrorism, cybersecurity, and science and research activities.

For example, the legislation increases funding for the Department of Justice by $552 million above last year’s levels, enhancing the way we protect and secure communities across the nation. That increase will provide the FBI with greater resources to fight terrorism and cyber crime.

It will also allow the DEA to amplify its efforts, including and $372 million to combat prescription drug abuse, what the CDC calls a national epidemic that is taking more lives than car wrecks.

Funding is targeted to high-priority national grants with increases for violence prevention programs and the Byrne JAG Program.

The bill also creates a new community trust initiative that will help improve the safety of communities across the Nation and work to facilitate a support network between these local communities and the police. This includes funding for body camera pilots and research, training, justice reform efforts, and upgraded statistics collection.

Mr. Chairman, the bill also directs funding toward key programs that will help secure America’s role as the leader in scientific innovation, grow our economy, and promote job creation. For instance, NASA receives a $519 million increase above last year, keeping us on the forefront of the space frontier.

The National Science Foundation receives a $50 million increase, directing funds to programs that will spur U.S. economic competitiveness. To help protect communities from devastating natural disasters, we provided $5.2 billion for NOAA to help boost weather warning and forecasting efforts.

As with any appropriations bill, Mr. Chairman, there are some tough choices to live within a tight budget allocation, but that is what the Appropriations Committee does. We make hard decisions.

I believe that this bill does that in a very responsible way, eliminating unnecessary or unneeded programs, reducing funding for other lower-priority programs. This sort of smart budgeting will help improve the way our government operates and show that we can live within our means.

Mr. Chairman, I want to congratulate Chairman CULBerson for his successful first go as chairman of this subcommittee. He wanted this tour and is happy to have it and is doing a good job with it. Mr. Chairman, and I am proud of him.

I think he and Ranking Member FATTAH and their subcommittee have drafted a good bill that I am proud to have before the House today. As always, I want to thank the staff for their tireless work in drafting and bringing this bill to the floor.

Mr. Speaker, this is the fourth appropriations bill we have brought to the floor this year, and I am glad we are making progress and keep pace on these very important bills.

I am told that this is the earliest and quickest start to appropriations bills in recorded history. I am proud of the work that our committee is doing and, I think, doing good work.

I urge my colleagues to continue this forward momentum and vote in favor of this very important and very well done Commerce, Justice, Science funding bill.

Mr. FATTAH. I yield such time as she may consume to the gentlewoman from New York (Mrs. LOWEY), the ranking member and a great leader for our team on Appropriations.

Mrs. LOWEY. Mr. Chair, I would like to take a moment to congratulate Chairman CULBerson on his first Commerce, Justice, and Science bill, as well as Chairman FATTAH and full committee Chairman ROGERS for their efforts. I know how hard they worked to try and put together the best bill possible.

Before I go further, I want to thank my friend, Ranking Member FATTAH, and join him in expressing our heartfelt condolences to the Vice President on the loss of his son. I just can’t imagine the pain that one feels at such a tragedy. I know our hearts and prayers go out to the Biden family.

The pictures of the floods in Texas were so horrifying, and I know how hard everyone was working to minimize the loss of life. I also want to express my condolences to Chairman CULBerson as well.

The House Republican “work harder for less” budget resolution was opposed by every Member on my side of the aisle in part because it really makes it impossible to give hard-working Americans the opportunity to succeed. Demoralizing the workforce and, we need more reasonable and realistic budgeting that could help families afford college, a home, and a secure retirement.

The insufficient overall allocation for discretionary investments at hurts initiatives in all the appropriation bills that grow the economy, create jobs, and make us more secure. While I appreciate the chairman’s efforts, the grossly inadequate allocation creates shortfalls that are evident in the fiscal year 2016 Commerce, Justice, and Science bill.

Instead of providing the desperately needed investments in community policing and improving the juvenile justice system, the COPS hiring program would receive no funding, and the Office of Juvenile Justice would receive $88 million less than fiscal year 2015 and $156 million less than the President’s request. That is particularly shameful, given the inclusion of a number of gun riders, including language blocking a reporting requirement on multiple purchases of rifles or shotguns by individual buyers. We eliminate riders that prevent law enforcement from sensibly addressing gun crimes.

While Violence Against Women prevention and prosecution programs would appear to receive an increase above the President’s fiscal year 2015 request, it is actually below the request when you account for a transfer in Victims of Trafficking grants. Similar gimmicks are also included in the portion of the COPS program that I mentioned.

The Legal Services Corporation would fare far worse: $75 million below fiscal year 2015, $132 million below the request. This is unacceptable for a service that provides legal help for hard-working Americans.

Turning to science, the bill continues the majority’s practice of burying its head in the sand instead of focusing on the stark climate change realities. As in previous years, the bill severely cuts funding for NOAA climate research by 19 percent below fiscal year 2015, a $30 million decrease. We should be supporting, not hindering, this important work to help save our environment.

The bill also cuts year Social, Behavioral, and Economic Sciences of the National Science Foundation by $257 million below the fiscal year 2015 level, an approach universally opposed by the scientific community.

Rather than properly preparing for the constitutionally mandated 2020 Census, the mark is $387 million below the President’s request for the U.S. Census Bureau. Failure to provide these funds now will cost taxpayers more in the long run, as the Census Bureau would be unable to thoroughly develop and test innovative, cost-saving business practices. Developing a well-designed and thoughtful Census now would save up to $5 billion in 2020 Census costs.

As in other bills, the majority has included a number of controversial riders. In addition to those on firearms I already mentioned, another provision is aimed at placing restrictions on exports to Cuba.

However, despite the numerous shortcomings, I want to thank the chairman again for his work related to the Domestic Nuclear Detection, Ballistics Backgroud Check System, Byrne Justice Assistance Grants, and the community Backlog Reduction Program to process sexual assault kits. These evidentiary kits have historically gone untested for decades, giving violent and culpable offenders the ability to strike again. So it is important we fund this program at a workable level.
I want to make it clear that Democrats are more than willing to support bills that include adequate spending levels to ensure public safety, promote economic growth, and that exclude unnecessary riders. Unfortunately, although this bill does such wonderful things, it also includes a number of provisions that I believe hurt our economy, our national security, and Americans, and that I want to see removed.

As the chairman and the staff have pointed out, this bill is trying to do a number of things. It is trying to improve fishery management and ensure that our fisheries are sustainable. It is trying to improve the way that we conduct the Census. It is trying to support educational programs. And it is trying to support research programs, including those at NASA.

As we have seen with the examples of the Census and the fishery management bill, this bill is attempting to do too many things at once. It is trying to do things that are important, but it is doing them in ways that are not effective.

Let me start by thanking Chairman CULBERSON and Ranking Member FATTAH for their ongoing enthusiasm and support for the key programs funded by this bill. I am grateful for their support, including provisions addressing key concerns of mine such as the growing rape kit backlog and long delays in testing DNA evidence; preventing the politically motivated termination evaluation of a fundamental science observatory, SOFIA; and ensuring the Federal Marine debris program, which will focus on plastics in our Nation’s waters and oceans. In the absence of these and other beneficial programs, this bill unfortunately falls short of supporting a robust and effective portfolio of Commerce, Justice, and Science programs.

Additionally, this bill seeks to micromanage the NSF by singling out earth science and social sciences as lesser research priorities. This is a mistake. We should be increasing funding in these fields to better understand natural systems and allow for more informed policy decisionmaking and not cutting them.

We need to adopt the President’s proposed overall funding levels to ensure that key programs such as the Census and NASA’s Earth Science Research Program are able to be effective and serve our Nation.

At the direction of Congress, the Census Bureau is testing sweeping reforms to Census methods that would reduce the overall cost of the enumeration substantially by bringing the Census into the 21st century. But without sufficient funding, the Census Bureau may have to abandon plans for a modern Census and go back to the more costly, outdated, manual 2010 design, which will end up costing $5 billion more—$5 billion. We cannot afford to waste taxpayers’ money. We need to be fiscally responsible and have an understanding of cuts beyond the time scale of a 1-year funding bill, which means investing in the Census now.

Additionally, this bill severely underfunds and deprioritizes earth science. The bill proposes generous funding to support NASA for planetary science but sees to overlook the most important planet of all—our own. That is why I offered an amendment in committee to fully fund geoscience research at NASA and NSF instead of the $520 million underfunding being proposed.

Research in the earth and helio sciences helps protect lives, business, and infrastructure because economic and public welfare consequences of natural hazards such as droughts, hurricanes, space weather, and earthquakes can be devastating. As our climate continues to change, this research is even more important, and yet this bill proposes to cut earth and geoscience research. We should be increasing funding in these fields to better understand natural systems and allow for more informed policy decisionmaking and not cutting them.

Additionally, this bill seeks to micromanage the NSF by singling out earth science and social sciences as lesser research priorities. This is a mistake. We should be increasing funding in these fields to better understand natural systems and allow for more informed policy decisionmaking and not cutting them.

We need to adopt the President’s proposed overall funding levels to ensure that key programs such as the Census and NASA’s Earth Science Research Program are able to be effective and serve our Nation.

Mr. CULBERSON. Mr. Chairman, at this time I yield 1 minute to the gentleman from West Virginia (Mr. JENKINS), my colleague and good friend from the committee.

Mr. JENKINS of West Virginia. I thank the Chairman for his good work.

Mr. Chairman, I have the honor of serving on the Appropriations Committee, which enables me to have input into our spending priorities.

This bill has a number of important programs I want to highlight. Drug courts are effective and efficient. Drug courts work.

A respected pastor and community leader in my State said: “Prisons are
for people we are really scared of, not just mad at.’

The drug epidemic continues to ravage my State, and drug courts give a needed alternative to sending those suffering from addiction to jail. Drug courts allow individuals to get into treatment, get help staying clean, and reenter society as a productive individual.

West Virginia drug courts are succeeding this year. West Virginia honored the first 1,000 adults and juveniles to successfully complete the program.

While no single program will solve the drug epidemic, we must continue to support programs that work. This bill maintains critical funding for a number of other programs that will help those trying to end this crisis.

I urge my colleagues to support this bill.

Mr. FA'TTAH. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LEE), a fellow appropriator.

Ms. LEE. Mr. Chairman, let me thank our ranking member for yielding but also for his steady and competent leadership of this subcommittee on our behalf. Also, I want to thank the chairman for his consistent work at bipartisanship, even though this is still yet another funding bill brought to the floor that woefully underfunds our critical Federal programs.

The fiscal year 2016 Commerce, Justice, Science Appropriations bill really should reflect our Nation’s commitment to our economy to keep our communities safe, and driving innovation. Instead, it makes critical cuts to programs at a time when they are needed most.

In the Justice title, this bill includes no funding for the Community Oriented Policing Services Hiring Program and a $68 million cut to juvenile justice programs from fiscal year 2015.

It also includes a $75 million cut to the Legal Services Corporation, which provides legal services to low-income Americans. Given what is happening in communities around the country, especially in terms of communities of color and law enforcement, these are truly unwise and misguided cuts.

Under the Science title, the National Science Foundation, which funds critical research at the University of California at Berkeley in my congressional district, is funded at $50 million below the requested level. These cuts are a huge blow to investments we should be making in scientific research to keep our Nation competitive.

In the Commerce section, this bill also includes cuts to critical programs, such as a $374 million cut to the National Oceanic and Atmospheric Administration, and funds the Census Bureau at $387 million below the President’s budget request.

Add to all of this an inappropriate policy rider about exports to Cuba and you have a bill that, despite the hard work of the chair and our ranking member, is deeply flawed.

The Acting CHAIR (Mr. EMMER of Minnesota). The time of the gentleman has expired.

Mr. FA'TTAH. I yield the gentlewoman an additional 30 seconds.

Ms. LEE. Finally, let me just say we need to support our critical Federal programs. We need to protect our communities in crisis and drive scientific breakthroughs in the future.

In committee, I sponsored an amendment to require jurisdictions receiving Byrne-JAG grants to put their officers through training to better work with diverse communities that they protect and serve. Congressman LACY CLAY has championed this idea, and later in this debate we will enter into a colloquy regarding this important issue, and I want to thank the chairman and ranking member for their support.

Mr. FA'TTAH. May I inquire of the time remaining on both sides?

The Acting CHAIR. The gentleman from Pennsylvania has 7 minutes remaining. The gentleman from Texas has 12 minutes remaining.

Mr. CULBERSON. Mr. Chairman, at this time it is my pleasure to yield 2 minutes to the gentleman from New Mexico (Mr. PEARCE), my good friend.

Mr. PEARCE. Mr. Chairman, I rise for the purpose of engaging in a colloquy with the gentleman from Texas, the chairman of the Subcommittee on Commerce, Justice, Science, and Related Agencies.

I want to thank the chairman and Ranking Member FA'TTAH for their efforts to forge a truly bipartisan bill to fund critical programs within the Departments of Justice, Commerce, and the scientific community. This diverse bill provides a wide range of support, from continued scientific research in space to the funding our law enforcement officers need to keep our families and communities safe. It is truly a diverse, virtuous bill.

Chairman CULBERSON, please permit me one point of clarification in the bill. The NASA budget includes a space operations account. This account provides funding for everything from space communications to research on the International Space Station to supporting space launch complexes. I would like to specifically discuss the space communications function within this account.

Regardless of age or mission, NASA must be able to communicate with the system it has in orbit. The space and ground networks that comprise NASA’s space communications system are the foundation of all of NASA’s orbital work. The network provides constant, real-time communications for all aspects of our space mission, from the unmanned probes at the very edges of our solar system to the ISS and Hubble Space Telescope.

Without this capability, our Nation should be jeopardizing the safety of our manned operations and depriving the world of the discoveries made by our space systems.

It should be a commitment of the House to ensure that the funding for our space operations ensures strong support for the infrastructure and support needed to maintain strong and capable space communications.

Again, I thank the committee for its work in crafting this legislation and strongly supporting space communications in the past. It is my understanding that the committee has provided the space operations account with nearly $130 million more than it did in fiscal year 2015, which intends to support a robust level of funding for the space communications component within this account.

Is that understanding correct? I yield to the gentleman.

The Acting CHAIR. The time of the gentleman has expired.

Mr. CULBERSON. I yield the gentleman an additional 30 seconds.

I want to thank my good friend and colleague from New Mexico. He is absolutely right. We have increased funding for the space operations account by $129.5 million, and we will make sure that that funding is adequate to support the space communications components within that increase.

Mr. PEARCE. Mr. Chairman, I thank the gentleman.

Mr. FA'TTAH. Mr. Chairman, I yield 2 minutes to the gentleman from the great State of Texas (Mr. CUELLAR), a fellow appropriator.

Mr. CUELLAR. Mr. Chairman, I want to thank the ranking member for yielding, number one. Number two, I want to thank him for the steady leadership he has provided as the ranking member. I also want to thank my good friend from Texas, JOHN CULBERSON.

We go back to the State legislature. I thank him for his leadership on this one particular issue that I want to bring up today, and that is the work that we are doing together in adding 55 new immigration judges—the largest amount of immigration judges that we are going to have at one time.

So I want to thank him for working together to add that money, as well as the accountability for those judges. We have got to make sure that we not only have the judges, but we have got to make sure that they move those cases with all due process given to everybody—and to move them as soon as possible. I also thank him for the work that we have done on Stone Garden and other border law enforcement.

Why do we need those new judges? Because right now there are more than 450,000 pending cases. There is a large backlog of immigration cases. There are about 250 judges right now, with about 56 courtrooms across the Nation, but we need to do more.

If you look at the casework of an immigration judge, that person will handle about 2,100 cases. If you look at a Federal judge, that judge will handle about 460 cases. You can see the large amount of cases that we have.

So, basically, some of those cases are taking about 2½ years to handle, and therefore we need to make sure that we
have the judges in place to handle the backlog that we have.

Just to give you an example, just in the last 6 months, 170,000 people crossed the border. Therefore, we need those judges.

To conclude, I want to thank the chairman and his staff, as well as the ranking member and his staff.

Mr. CULBERSON. Mr. Chairman, it is my pleasure to yield 1 minute to the gentleman from Michigan (Mr. WALBERG), my good friend.

Mr. WALBERG. I thank the chairman.

Mr. Chairman, I rise today deeply concerned by the increase of heroin and opioid abuse in Michigan and around the country.

In Jackson, six heroin-related deaths have happened since March. In April, in Monroe County, three people overdosed in a 24-hour period. Last year, Lenawee County, my home county, had seven drug-related deaths in the first three quarters. Our similar stories in far too many communities across Michigan.

Today’s CJS Appropriations bill includes essential funding to assist States and localities to combat drug-related problems, including over $400 million to advance strategic plans to address the growing heroin and opioid epidemic and $372 million to tackle prescription drug abuse.

It will take all of us working together—concerned citizens, treatment providers, law enforcement, elected officials at every level—to fight this growing epidemic and keep our homes and streets safe.

I appreciate the work of the chairman of the committee on this, and I support it.

Mr. FATTAH. I yield 2 minutes to the gentleman from Texas (Ms. EDDIE BERNICE JOHNSON), who has led the Democratic effort in terms of science, and I particularly thank her for her leadership on NASA.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, let me express my appreciation and respect for the chair as well as the ranking member of the subcommittee.

I really do respect the work, but I do rise in opposition to H.R. 2578. While I respect the work put into the bill by my colleagues on the Appropriations Committee, I am afraid that it represents a missed opportunity to help the nation’s research and innovation enterprise at a time when that help is urgently needed.

At other points, we have noted, this bill is the result of a fundamentally flawed House budget resolution that provides insufficient allocations for critically important activities of the federal government, including investing in our future. Until that mismatch is addressed, we are going to continue to fall behind, both in our efforts to maintain a world class workforce and our efforts to maintain the R&D capabilities we need here at home.

As Ranking Member of the House Science, Space, and Technology Committee, I would like to use the time I am given to address some specific concerns I have with the bill.

With respect to the National Science Foundation, I have two specific concerns beyond the overall funding level. Following the direction contained in the report accompanying this bill, we would be interested in addressing funding concerns. We have a significant workforce in the social sciences and geosciences, and we have good reason to expect a loss in that field.

Second, I must comment on the flat-funding for the NSF operations account. NSF is already in the midst of building a new headquarters in Alexandria, and the funding provided to NSF in this bill may very well result in delays and therefore increased cost for that building. This is a clear-cut case of the Congress being penny-wise and pound foolish.

With respect to the National Institutes of Health, I am concerned about the funding cuts to all of the institutes. I am particularly concerned about the report language that would gut the critical forensics standards activities already underway at NIST, and the bill language that would co-merge, without any hearings, debate, or authorizing legislation, eliminate an entire agency, the National Information Technology Service (NITS), which performs both essential and perhaps nonessential activities. This bill would throw out the baby with the bathwater without any consideration given to the consequences.

The CJS bill we are considering today fails short in a number of ways in its treatment of the National Oceanic and Atmospheric Administration. It cuts the NOAA budget 5 percent below current spending and more than 13 percent below the President’s request. This cut will have a significant impact on NOAA’s ability to provide local communities and decision-makers with the information they need to effectively manage the nation’s resources and protect the lives and property of every American.

I am especially concerned about the lack of support for NOAA’s efforts to maintain continuity in our polar observing capabilities. The President’s budget request included $380 million to fund a Polar Follow-on program. This program would help mitigate a potential gap in this critical data by building robustness into our satellite constellation. As many of you know, accurate weather forecasts and warnings are vital for the economic security of the United States, and we must ensure NOAA has the resources it needs now to ensure the long-term health of our satellites.

Additionally, I am concerned about the bill’s $30 million dollar cut to NOAA’s climate research activities. Addressing climate change is our most pressing environmental challenge and NOAA’s climate research furthers our understanding and the implementation of effective adaptation and mitigation strategies. We should be doing more to combat climate change, not less.

Finally, with respect to NASA, while I’m pleased that the Committee on Appropriations has proposed a strong top-line for the National Aeronautics and Space Administration that is consistent with the President’s overall request, I am troubled by the way that funding is allocated. In particular, I cannot support the deep cuts made to NASA’s Earth Science program. Given the leadership role NASA plays nationally in studies of the Earth system, including climate change, these cuts will do serious long-term damage if enacted into law.

In addition, I question the proposed reduction to the Orion crew vehicle program from the FY 2015 funding level, especially given the concern expressed in the report language about NASA’s ability to test all human-rated systems on the first Exploration Mission-1. I also question the proposal to fund the Safety, Security, and Mission Services account, which is critical to maintaining a world class workforce and infrastructure, below the President’s request.

Mr. Chairman, in closing, as I said before, this bill is a missed opportunity, and I cannot support it in its current form.
Mr. ROSS. Thank you, Chairman CULBERSON, and thank you for presenting this bill.

Mr. Chairman, I rise today in support of an important amendment that will be offered by my colleague, Representative BLAINE LUETKEMEYER, to defund the Department of Justice program known as Operation Choke Point.

Created under the guise of a program to root out banking fraud and money laundering, Operation Choke Point has been a law-abiding administration bureaucracy to pressure banks and force banks to end relationships with legitimate businesses it considers objectionable or a "reputational risk."

This administration has targeted legitimate small businesses such as fire-arm and ammunition dealers, cigar shops, pawn stores, payday lenders, and others. The backdoor effort to target legitimate law-abiding businesses it does not like and to coerce banks to choke off relationships with these legitimate businesses is contrary to our Nation's fundamental principles of freedom.

In voting to defund Operation Choke Point, I will be voting to rein in this out-of-control administration and its assault on small, legal, legitimate businesses.

Mr. FAITTAH. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. LIPINSKI), a gentleman who, in this House, has spent a great deal of time providing leadership in terms of small businesses and connecting them up with our research institution.

Mr. LIPINSKI. I thank my friend for yielding and for his work on the Appropriations Committee.

I want to say that, Mr. Chairman, I understand the constraints that the chairman is working under, and I appreciate his work on those items that were mentioned by Ranking Member FAITTAH and other Members on this side.

I rise in opposition to this bill because it fails to fund scientific research at levels we need to spur innovation and remain competitive as a Nation. In particular, I want to call attention to report language in the bill that will result in cuts to the social sciences and geosciences of over $250 million.

The NSF is the largest single source of funding for basic research in our country in a variety of fields, and that is especially true for the social sciences.

Some will say these cuts are needed to prioritize research in other areas, but this approach of limiting funding for social science is misguided for several reasons.

First, other areas of research are already heavily prioritized at the NSF. In fiscal year 2015, the NSF will spend only 3.7 percent of its budget on social science research—clearly not an outsized priority.

This is especially true when you consider that social science research saves lives and money. It was NSF-funded social science research that developed the kidney transplant program that has led to thousands of successful donor-patient pairings that had not been possible before.

Spectrum auctions conducted by the FCC were made possible by economic research sponsored by the NSF. These auctions generated billions for taxpayers and will free up chunks of spectrum so we can stay at the cutting edge of wireless technologies.

Social science research is also critical to cybersecurity, as we have heard from many expert witnesses in the Science, Space, and Technology Committee. Most cyber breaches occur because of human factors, and social science is vital in addressing this grave security risk.

For these reasons, I am urging my colleagues to oppose these cuts and to oppose this bill. We need to do better for scientific research for the sake of our country, our economy, and our jobs.

Mr. CULBERSON. Mr. Chairman, could I inquire as to how much time remains on each side?

The Acting CHAIR (Mr. DUNCAN of Tennessee). The gentleman from Texas has 7 ½ minutes remaining. The gentleman from Pennsylvania has 1 minute remaining.

Mr. CULBERSON. Mr. Chairman, I yield 1 minute to my good friend from Wisconsin (Mr. DUFFY).

Mr. DUFFY. Mr. Chairman, one of the greatest innovations that has ever been developed by man to connect people from every corner of the Earth, whether in cafes or homes or in schools, is the Internet.

The reason the Internet has expanded and grown around the world and has been such an engine for innovation is the fact that the Internet embodies the American idea of free speech. That very idea of free speech in the Internet is under attack because the administration is in direct violation of that idea of free speech.

The Internet was made in America. Let's keep the Internet open. Let's make sure that we continue with the great American idea of free speech not just here in America, but in every corner of the globe because the Internet will embody that idea of free speech.

The Internet was made in America. Let's keep its functions in the Internet in America.

Mr. FAITTAH. Mr. Chairman, I have one remaining speaker, so I reserve the balance of my time to close.

Mr. CULBERSON. Mr. Chairman, it is an act of prestige to yield 3 minutes to the gentleman from Texas (Mr. SMITH), the distinguished chairman of the full Science, Space, and Technology Committee, my colleague and good friend.

Mr. SMITH of Texas. Mr. Chairman, I thank my friend, the chairman of the Commerce, Justice, Science Subcommittee of the Appropriations Committee for yielding me time.

I thank the chairman, also, and his staff, especially John Martens, Leslie Albright, and Ashley Schiller, for working with the House Science, Space, and Technology Committee.

I especially appreciate the chairman's support for prioritizing the funding of breakthrough technological innovation, jump-start new industries, and spur economic growth.

This bill ensures that NSF is transparent and accountable to American taxpayers about how their hard-earned dollars are spent and that NSF-supported research is in the national interest.

The House CJS Appropriations bill also addresses concerns about the National Oceanic and Atmospheric Administration's costly satellite program. In addition, this bill encourages NOAA to include private sector involvement in the space-based weather industry.

Finally, I thank Chairman CULBERSON for his reprioritization of NASA planetary science, which implements the Science, Space, and Technology Committee's NASA authorization reported in April.

I further look forward to working with Chairman CULBERSON and Chairman ROGERS to fully fund the Orion and Commercial Crew programs so that we can once again launch American astronauts on American rockets from American soil.

Again, I thank my friend from Texas, Chairman CULBERSON, for his enthusiasm and initiative and urge my colleagues to support this bill.

Mr. Chair, I thank Chairman CULBERSON and the staff of the Commerce-Justice-Science Appropriations Subcommittee, especially John Martens, Leslie Albright and Ashley Schiller for working with the House Science, Space, and Technology Committee. I particularly appreciate your support for prioritizing the funding of the basic research at the National Science Foundation.

This research, especially in the areas of math and physical sciences, biology, computing and engineering, holds the promise of breakthroughs that will trigger technological innovation, jumpstart new industries and spur economic growth.

This bill also supports other language in the America COMPETES Reauthorization Act of 2015, which passed the House two weeks ago.

It ensures that NSF is transparent and accountable to American taxpayers about how their hard-earned dollars are spent and that NSF-supported research is in the national interest.

The National Science Foundation has played an integral part in funding breakthrough discoveries in numerous scientific fields such as medicine, the Internet and nanotechnology.

However, NSF has also approved dozens of grants for which the scientific merits and national interest are not obvious, to put it politely.
These include a climate change musical, a Norwegian tourism study, a grant on human-set fires in New Zealand in the 1800's, a study of lawsuits in Peru in the 1600s, and a grant on the causes of stress in Bolivia.

This bill supports the policy that every NSF public use project award must be accompanied by a non-technical explanation of the project's scientific merits and a certification of how it serves the national interest. This reinforces the standards set forth in the America COMPETES Act of 2010.

The recommendations in this bill also address concerns about the National Oceanic and Atmospheric Administration's (NOAA) costly satellite program.

It ensures that appropriate oversight access is given to the Office of the Inspector General, the Government Accountability Office, and NOAA’s own Independent Review Team. Likewise, recommendations from these bodies will help guide the satellite programs as they move closer to their anticipated launch dates.

In addition, the bill includes private sector involvement in the space-based weather industry.

NOAA's costly satellite programs have historically been plagued with management problems. Encouraging NOAA to purchase services from the private sector will allow for a more robust, cost-effective and efficient weather forecasting system that will help save lives and property.

I look forward to offering an amendment shortly, with the support of Chairman CULBERSON, to further enhance NOAA's weather research of near-term, affordable and attainable advances in observational, computing and modeling capabilities. The amendment will result in substantial improvements in weather forecasts.

Finally, I thank Chairman CULBERSON for his re-prioritization of NASA's planetary science, which implements the Science Committees' NASA Authorization reported in April.

I further look forward to working with Chairman CULBERSON and the leadership of the House to include private sector involvement in the space-based weather industry.

We have in this bill prioritized our funding, as we all do in our private life and our business life. Following the good advice of Dave Ramsey, you don't spend money you don't have, and try to eliminate debt at all possible costs.

We have made our very best to make sure that we are living within our means. Although the budget caps— I know there is a great deal of frustration among my Demo-cratic colleagues on the limitations on spending. That is the law that was suggested initially by the White House.

It is important that we do all that we can to minimize the debt that we pass on to our children and grandchildren. The budget caps are reality, and we have, within the limitations that we have, prioritized the funding in this bill to make sure that law enforcement is number one; the FBI and the Department of Justice are taken care of; that the National Science Foundation, in fact, is funded at a historically high level. We have given them a $50 million increase.

We have also funded NASA at a historically high level since the Apollo program. I would certainly like to see the American space program given more. As more money becomes available, if we find an opportunity, as we move through conference, of course, we will work hard to make sure that we will plus-up funding for the sciences and space exploration everywhere we can.

I heard my colleagues mention the Legal Services Corporation, which does important work in representing the poor. We will certainly do our best to find additional funding there.

I will also be filing legislation to give attorneys a tax deduction, dollar for dollar, for work that they do donating their time to the poor. I think that is a fair better way to get legal services to the poor, through the Tax Code, rather than by appropriating our taxpayers' hard-earned tax dollars.

In conclusion, Mr. Chairman, I want to point out to the Members that, above all, this legislation will ensure that the laws, as enacted by Congress, are enforced. If Federal agencies want the privilege of spending and using our constituents' hard-earned tax dollars, they will need to demonstrate through their spending plans, through their presentations to this committee, that they are actually enforcing the law as written by Congress.

We will, throughout the course of the year, engage in vigorous oversight to ensure that our money is not only wisely spent, that it is prudently spent, that it is only spent when absolutely necessary, but that our constituents' hard-earned tax dollars are only spent to enforce the law as written by the people's elected representatives.

I urge my colleagues to join us today in voting for this important legislation.

Mr. Chairman, I yield back the balance of my time.
legislation will address concerns about transparency and accountability, while reaffirming our commitment to the transition.

While I cannot support the funding restriction in H.R. 2578, I stand ready to work with my colleagues on responsible oversight of the JANA transition.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment each amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment. No pro forma amendment shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of inquiry. The Chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose. Amendments so printed shall be considered read.

The Clerk will read.

The Clerk reads as follows:

H.R. 2578

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress as-sembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2016, and for other purposes, namely:

TITLE I
DEPARTMENT OF COMMERCE
INTERNATIONAL TRADE ADMINISTRATION

Operations and Administration

For necessary for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including participation in international trade fairs and exhibitions, agreements for the purpose of promoting exports of United States firms, without regard to section 3702 and 3703 of title 44, United States Code; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: Provided, That, of amounts provided under this heading, not less than $15,400,000 shall be for the China and Hong Kong (Commercial) enforcement and compliance activities: Provided further, That the provisions of the first sentence of section 106(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

AMENDMENT OFFERED BY MR. GOODLATTE

Mr. GOODLATTE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 3, line 19, after the dollar amount, insert "(decreased by $23,600,000)."
Page 28, line 22, after the dollar amount, insert "(decreased by $2,733,000)."
Page 30, line 2, after the dollar amount, insert "(decreased by $295,000,000)."
Page 47, line 7, after the dollar amount, insert "(decreased by $45,000,000)."
Page 49, line 7, after the dollar amount, insert "(decreased by $52,500,000)."
Page 72, line 7, after the first dollar amount, insert "(decreased by $270,000,000)."
Page 72, line 7, after the second dollar amount, insert "(decreased by $266,900,000)."
Page 72, line 12, after the dollar amount, insert "(decreased by $4,000,000)."
Page 72, line 13, after the dollar amount, insert "(decreased by $1,000,000)."

Mr. GOODLATTE. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is recognized.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment restores necessary funding for the Federal Prisoner Detention program.

The Marshals Service assumes custody of individuals arrested by all Federal agencies and is responsible for the housing and transportation of prisoners housed in non-Federal facilities and has an average daily population of approximately 45,000 prisoners. This funding is critical to ensuring that the United States Marshals Service can provide safe, human care and custody for the approximately 204,000 Federal prisoners it will be responsible for in fiscal year 2016.

Mr. Chairman, the fiscal year 2016 Commerce, Justice, Science Appropriations bill falls nearly $400 million short of the funding necessary to maintain the Marshals Service’s prisoner detention operations. This matter must be corrected. My amendment would simply reduce less critical accounts to make up for this astounding shortfall.

This amendment directs an increase in mentoring programs by $45 million, leaving a generous sum of $50 million for youth mentoring.

My amendment also zeros out the new, unauthorized grant program to promote pro bono efforts.

Mr. Chairman, I yield to the gentleman from Texas (Mr. CULBERSON), the chairman of the Committee, who has worked with my staff very diligently on a number of issues related to this matter, and I would be prepared to withdraw this amendment in lieu of all the difficulties he has in finding funds for the priority he has but, nonetheless, hoping that he will acknowledge that this is a priority that has been shortchanged and that we need to make sure that not only are these prisoners able to be held, and held according to law, but also that it does not give rise to prisoners being released in circumstances where they otherwise should be held in incarceration.

So I am hoping that, if the gentleman would agree moving forward to help us try to find additional funds for this account, perhaps the gentleman from Pennsylvania would be willing to help as well, and I would be willing to withdraw the amendment.

Mr. CULBERSON. Mr. Chairman, I look forward to working with the chairman of the Judiciary Committee to ensure that these prisoners are not released. I will work diligently with my colleague from Philadelphia to find additional funds as we move forward in the process. The last thing we want is these people being released.

It has been a privilege for me to work with you and your staff. I am very privileged to follow in the footsteps of your colleague from Virginia, Frank Wolf, who was chairman of the CJS Subcommittee, and to maintain that close working relationship. We will do everything we can to find funding to make sure that these Federal
prisoners are not released early. That is a subject near and dear to my heart. I am very sensitive to it. We had a Federal judge in Texas running our prisons for 25 years, William Wayne Justice; and I sued him, as a State representative, to end his control over our prisons. We learned that the main things he was doing was causing the early release of prisoners to go victimize Texans, which is utterly unacceptable. So this is a top priority. I will work with the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Will the gentleman yield?

Mr. GOODLATTE. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I obviously would work with the chairman on this and a whole range of other items. The offsets that you have identified would be very problematic, from my point of view. But I will work with the chairman. We need to make sure we fully fund the U.S. Marshals Service.

Mr. GOODLATTE. I thank the chairman and the ranking member.

Mr. Chairman, I ask unanimous consent to have the amendment printed in the Record.

The Acting CHAIR. Is there objection to the request of the gentleman from Virginia?

There was no objection.

AMENDMENT OFFERED BY MR. GUINTA

Mr. GUINTA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, insert after the dollar amount the following: "(reduced by $5,000,000)."

Page 42, line 24, insert after the dollar amount the following: "(increased by $5,000,000)."

Page 44, line 6, insert after the dollar amount the following: "(increased by $5,000,000)."

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New Hampshire and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Hampshire.

Mr. GUINTA. Mr. Chairman, I rise today in support of my amendment to the Commerce, Justice, Science Appropriations bill to increase the funding for our Nation's drug courts by $5 million.

Drug courts keep people in treatment and can be one of the most effective intervention programs for those suffering from drug addiction. And just as importantly, these courts reduce crime, save money, and serve families and children affected by substance abuse.

Drug and substance abuse directly impacts our States, communities, law enforcement, and families across the country. In the past 5 years alone, in my home State of New Hampshire, overdoses have increased fivefold. Last year in the Granite State, deaths from heroin and illicit drug use exceeded auto-related deaths in the State. Drug use and abuse have devastated countless families from the Granite State.

Drug courts are transforming the criminal justice system across our Nation by creating a systematic response to substance abuse and crime as an alternative to incarceration. It is not every day that we get to directly save lives in government. The drug courts program has proven to do just that.

I urge my colleagues to support my amendment as we continue to tackle the drug abuse epidemic that is plaguing communities around our Nation.

Mr. CULBERSON. Will the gentleman yield?

Mr. GUINTA. I yield to the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, I rise in support of the gentleman's amendment.

Drug courts are a proven way to get a good outcome for people who are arrested for drug offenses. The gentleman from Pennsylvania (Mr. FATTAH) and I have already funded the drug courts at $41 million, $5 million above the request. I think the gentleman's amendment is a worthwhile increase, and I urge my colleagues to support it.

Mr. GUINTA. I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I ask unanimous consent to claim the time in opposition, even though I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FATTAH. Mr. Chairman, on that, I want to echo the sentiments of the gentleman from Massachusetts (Mr. LYNN).

Mr. LYNN. Mr. Chairman, I want to thank the gentleman from New Hampshire (Mr. GUINTA). He and I were of a similar mind in terms of this amendment, and I am delighted that the chairman has accepted the amendment.

We understand the good that drug courts do in our society and in our system. It actually combines the resources of family, the courts, law enforcement, substance abuse agencies, our local and town governments, State governments, and, of course, the Federal Government.

Drug addiction in the United States is an epidemic that affects every city and town across America, and it cuts across every demographic. It leaves in its wake shattered lives and families and costs taxpayers hundreds of billions of dollars annually.

The National Institute on Drug Abuse estimates that the total overall cost of substance abuse in the United States, including lost productivity and health and crime-related costs, exceeds $600 billion every year. The institute also reports that drug addiction treatment has been shown to reduce associated health and social costs by far more than the cost of treatment itself. Drug courts can be the first step on the road back for those suffering with addiction.

Drug addiction is a disease, and people under the influence often act out of character. Society is beginning to recognize that we need to deal with addiction and its outcome in a way that can have a positive effect on individuals and their families and communities. I believe drug courts offer this opportunity by providing a support system and a road map for moving forward.

The drug courts are specialized dockets which handle cases involving drug- and/or alcohol-dependent offenders charged with nonviolent offenses determined to have been caused or influenced by their addiction.

I have visited many of the prisons in my State, and I would say, in some cases, 80 to 90 percent of those inmates who are in there have dual addictions at the root of their problems.

I do want to recall the support that we received in the past from the former chairman, Frank Wolf of Virginia, who is a good and decent man, and we miss him here. But I am glad to see that the current chairman is of a similar mind, and I want to thank him as well.

Mr. GUINTA. I yield myself such time as I may consume.

Mr. Chairman, I want to echo the sentiments of the gentleman from Massachusetts. This is a worthwhile attempt to try to help and heal families, address our process of incarceration, but also to make sure that we are doing the right thing for families across not just our region in New England, but across the country.

I would also like to thank Appropriations Committee Chairman ROGERS and Subcommittee Chairman CULBERSON for their hard work not on just this component, an amendment to the bill, but also to the overall bill and the commitment to this particular issue. Again, I would urge my colleagues to support the amendment.

I yield back the balance of my time.

Mr. FATTAH. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Hampshire (Mr. GUINTA).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. REICHERT

Mr. REICHERT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.
The Clerk read as follows:

Page 3, line 10, after the dollar amount, insert "(reduced by $1)".
Page 4, line 21, after the dollar amount, insert "(increased by $3)".
Page 7, line 8, after the dollar amount, insert "(reduced by $100,000,000)".
Page 42, line 24, after the dollar amount, insert "(increased by $100,000,000)".
Page 43, line 1, after the dollar amount, insert "(increased by $100,000,000)".

The Acting CHAIR. Pursuant to House Resolution 267, the gentleman from Washington and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. REICHERT. Mr. Chairman, I want to thank Chairman CULBERSON and Chairman ROGERS for working together with Representatives PASCRELL, DENT, and HERRERA BEUTLER to develop this amendment.

I strongly supported this critical amendment with the colleagues that I just mentioned. This amendment increases the Edward Byrne Memorial Justice Assistance Grant Program by $100 million and decreases the Census Bureau amount.

Last year, the COPS Hiring Program received bipartisan support and was funded at $180 million in the omnibus. Unfortunately, the underlying legislation completely eliminates the COPS Hiring Program.

While we cannot restore COPS Hiring Programs and add them back into the bill due to House rules governing consideration of appropriation measures, we can reduce the burden and mitigate the impact of the program's elimination on local law enforcement by passing this bipartisan amendment.

To continue to meet the needs of police departments across the country, this additional $100 million for Byrne JAG should specifically be used for grants to police departments for hiring. Ensuring the safety of our communities and neighborhoods should be one of our first priorities, and we cannot do without a sufficient number of police officers.

Mr. Chairman, the police officers and law enforcement agencies across this country are asked to do more and more with less and less, and let me just give you some examples.

When I was the sheriff in Seattle, I provided deputies to Federal task force efforts, the Joint Fugitive Task Force; the Joint Terrorism Task Force; the HIDTA Task Force, the High Intensity Drug Trafficking Area Task Force; the fusion center; and I could go on with some others.

The role that local law enforcement plays in the efforts of Federal law enforcement are integral. They are interconnected. They can't be separated. It is a team effort from the Federal law enforcement agencies to the local law enforcement agencies. And sometimes people in this Chamber get confused as to what the local law enforcement's role is, and then it comes to Federal responsibility.

I will just give you an example of one of my own personal experiences. Early in my career as a police officer, a sheriff's deputy on the streets in the mid-seventies, I made a traffic stop. I came across a young lady who happened to be in the employment of somebody who was connected to a crime syndicate within the Washington State area who was operating human trafficking operations from Texas to Anchorage, and not only that, but they were involved in drug trafficking.

So I developed this informant as a patrol officer driving around in my patrol car. You would never think that I might have the opportunity to bust a big case like this. But this is just an example of the day-to-day activity that police officers operate in, and they collect this information. I took it to the Federal agency responsible. I went to the DEA.

I had a secret meeting in a hotel room in downtown Seattle. The informant wouldn't trust the Federal operatives, but she trusted me. So I had to drive to Texas. We came up with a plan for me to travel to Texas. It is a long story. I won't get into the rest of it. But I think that everyone in this room gets the picture of how critical it is for us to integrate Federal and local law enforcement and that we have a responsibility, as the United States Congress, on the House side and on the Senate side, to support those efforts.

Mr. FATTAH. Mr. Chairman, I gladly yield 1 minute to the gentleman from Texas (Mr. CULBERSON), my chairman, if he has any more to add on this matter before I yield to my colleague over here.

Mr. CULBERSON. Mr. Chairman, I thank the gentleman, just to say that, as you know, we discussed in full committee that the purpose of our bill was to shift the COPS hiring because it has not been reauthorized a number of years over to the Byrne JAG Program, which can be used for hiring because these are grant applications that can be tailored for your specific community. You can be sure the money is targeted precisely for your needs in Seattle or Philadelphia, so the Byrne JAG Program money can indeed be used for hiring police officers.

I strongly support the gentleman's amendment because it will allow more community hiring of police officers, and that is a good thing. God bless all our law enforcement officers, and we can't give them enough support.

Mr. FATTAH. I yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, I thank the ranking member and my brother in the Law Enforcement Caucus (Mr. REICHERT), from Washington. And I want to thank my colleagues who have joined in a strong show of bipartisan support for the COPS program, Ms. HERRERA BEUTLER and Mr. DENT included.

Let me be clear what this amendment does. The Reicht's amendment increases funding for the Byrne JAG by $100 million for hiring purposes, a critical step— I think, an important message.

Our amendment is supported by the major voices in the law enforcement community, including the National Association of Police Organizations, The Major County Sheriffs Association, the Fraternal Order of Police, and the National Association of Police Organizations, so I urge my colleagues to support it.

But despite all of the debate about community policing happening across our Nation, as Mr. REICHERT referred to, the American people need to know that, despite what our amendment does, the underlying bill eliminates the Federal COPS Hiring Program. It is simply unacceptable that every year we ask the law enforcement community to do more and more with less and less.

Mr. Chairman, in last year's House bill, the COPS program was cut by $109 million, 61 percent. So we cannot cut the Federal COPS program any further. We can only cut it, and we can do it together. We can solve this problem and keep our community safe.

I appreciate the gentleman and the time you have allowed me.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FATTAH. Mr. Chairman, I rise in opposition to the amendment, even though I am not opposed by $100 million.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.
As of the aisle in asking the committee to support the COPS program—you gutted it. We can't even amend it. It is done. It is over.

As a cornerstone of the Federal Government's efforts to assist State and local law enforcement, COPS Hiring has funded over 127,000 public safety officer positions. DAVID REICHERT was on the front line. He can speak to the issue over and over again. He has been there and done it. I just can talk about it.

Mr. Chairman and Mr. Ranking Member, it is plain and simple. Fewer cops on the beat mean more crime on the street. Fewer cops on the beat mean more crime on the streets. I ask you— I ask you to do everything in your power, as you have done in the past—to restore what I think is probably one of the most efficient programs in the entire Federal Government, the COPS program.

Mr. FATTAH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me say in conclusion that I join with the chairman. I support this amendment. I support the COPS program.

For 20 years, the Federal Government has been engaged in this. launched under President Clinton, which has reduced crime in our country, has saved lives, has made communities safer. And even though there is some disagreement about the authorization, there is no disagreement, I don't believe, that we should be providing resources. I think the gentleman articulated on the front end of this discussion how intertwined local police are with our Federal law enforcement efforts and how critically indispensable they are in these efforts.

Mr. CULBERSON. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman from Texas.

Mr. CULBERSON. Thank you, Mr. Chairman.

Mr. Chairman, families in northern, central, western, and downeast Maine are some of the hardest working, most honest people you can find in the country. They expect and they want a more effective and a more accountable government that works for them, sir, and not against them.

Now, one of the most important jobs of the Federal Government is to make sure that we protect American workers against unfair trade practices. This is very clear in our Constitution, and the Founding Fathers made this clear to us all.

Today, here in Washington, the International Trade Administration is responsible for enforcing these trade rules. Last year, three of our major paper mills in our district, the Second District of Maine, in Bucksport, Old Town, and Millinocket, closed. Mr. Chairman, 1,000 of the most skilled paper makers in the world are no longer working, and those 1,000 paychecks are no longer flowing to their families to help them care for their kids.

This year in central Maine, in Madison, Maine, a fourth paper mill is now facing difficulty and has temporarily shut down a couple of times and furloughed another 200 workers. Now, if you talk to the folks that own the mill and work on the floor in Madison, they cite two reasons: number one is the high cost of energy to run their machinery; secondly, a provincial government in Canada has provided about $125 million of unfair subsidies to a competing paper mill across the border. These subsidies, which are unlawful and unfair, have allowed this competing paper mill to buy new equipment, to make new equipment; secondly, a provincial government in Canada has provided about $125 million of unfair subsidies to a competing paper mill across the border. These subsidies, which are unlawful and unfair, have allowed this competing paper mill to buy new equipment; secondly, a provincial government in Canada has provided about $125 million of unfair subsidies to a competing paper mill across the border. These subsidies, which are unlawful and unfair, have allowed this competing paper mill to buy new equipment; secondly, a provincial government in Canada has provided about $125 million of unfair subsidies to a competing paper mill across the border. These subsidies, which are unlawful and unfair, have allowed this competing paper mill to buy new equipment; secondly, a provincial government in Canada has provided about $125 million of unfair subsidies to a competing paper mill across the border. These subsidies, which are unlawful and unfair, have allowed this competing paper mill to buy new equipment; secondly, a provincial government in Canada has provided about $125 million of unfair subsidies to a competing paper mill across the border. These subsidies, which are unlawful and unfair, have allowed this competing paper mill to buy new equipment.

Chair, wider than anybody else in the country, in Maine can stretch a dollar, Mr. Chairman. Families in Maine can stretch a dollar.

Mr. CULBERSON. Mr. Chairman, I reluctantly rise in opposition.

The Acting CHAIR. Mr. Chairman, the gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I ask my colleague to consider withdrawing the amendment. I would like to work with him to ensure that this case is investigated. The ITA is funded at a level of over $700 million. I can only imagine how devastating this must be to the families there in Madison, Maine, that have lost their jobs and had their jobs furloughed and suspended because of an unfair subsidy right across the border. This is exactly what we are supposed to be doing. The Appropriations Committee has extraordinary influence over these agencies, and this is exactly the kind of case the ITA should be working on.

I want to pledge to you, my full support and assistance in making sure that this case is investigated and pursued aggressively if you consider withdrawing the amendment, because the
Census has gotten hammered pretty hard. They just had $100 million transferred over to COPS Hiring. And if we could, I would certainly like to work with you as we move forward in ensuring that this case is investigated and handled.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I would also work with the chairman on this matter to make sure this is fully reviewed and investigated.

Mr. POLIQUIN. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Maine.

Mr. POLIQUIN. Thank you, Mr. Chair. I appreciate it very much.

Although I do believe, sir, that jobs are more important than counting people, we will use the full authority of our office to help our workers at the Madison Mill to make sure that we do everything to have a level playing field.

I will withdraw this amendment, and I accept your pledge to do everything within your power and authority to please help our paper workers, the most skilled in the world, in central Maine.

Mr. CULBERSON. We will be on it and help you. I look forward to doing so aggressively and in a timely manner. Thank you very much.

Mr. POLIQUIN. Mr. Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Maine?

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

BUREAU OF INDUSTRY AND SECURITY
OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payments, in the manner authorized in the first paragraph of section 2972 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $10,500 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by section 1(b) of the Act of June 15, 1917 (40 Stat. 225; 22 U.S.C. 401(b)); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirements for vehicles eligible for purchase without regard to any price limitation otherwise established by law, $110,000,000, to remain available until expended: Provided, That the provisions of the first sentence of section 106(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: Provided further, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities, of the Department of Commerce and other export control programs of the United States and other governments.

AMENDMENT OFFERED BY MR. MCCLINTOCK
Mr. MCCLINTOCK. Mr. Chairman, I have an amendment at the desk involving page 3, line 10.

The Acting CHAIR. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Page 3, line 10, after the dollar amount, insert "(reduced by $311,788,000)."

Page 98, line 20, after the dollar amount, insert "(increased by $311,788,000)"

Mr. FATTAH. Mr. Chairman, I think we have passed that point in the bill.

Mr. MCCLINTOCK. Mr. Chairman, I had risen before we had passed that point in the bill and was not recognized.

Mr. FATTAH. I don't think it is any fault of your own. I am just saying for the technical matter I think that we have.

The Acting CHAIR. The gentleman from California has two amendments at the desk, one to the pending paragraph, and one to the previous paragraph.

The Chair is entertaining the one to the previous paragraph by unanimous consent.

Mr. FATTAH. Is this the one that the Clerk just read?

The Acting CHAIR. The gentleman is correct. That is the amendment that the Clerk just read and addressing page 3, line 10.

Pursuant to House Resolution 297, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCCLINTOCK. Mr. Chairman, this amendment enacts a CBO recommendation to eliminate the trade promotion activities of the International Trade Administration to save almost $312 million.

What does the ITA do exactly? Well, it has a full range of public and private trade promotion activities, its fees do not cover the cost of all of its activities. Additionally, it is argued that the benefits of trade promotion activities are passed on to foreigners in the form of decreased export costs.

Simpson-Bowles then goes on to say: “According to a study by the Office of Management and Budget, businesses can receive similar services from State, local, and private sector entities.”

This CBO option to eliminate ITA’s promotion activities saves $312 million in 2016 and $3.5 billion through 2024.

Mr. Chairman, if the CBO, theOMB, and the President’s fiscal commission all agree this is wasteful and Congress hasn’t bothered to reauthorize it since it expired 19 years ago, why do we continue to spend money that we don’t have duplicating services the beneficiaries of those services either don’t need or are perfectly capable of funding on their own?

And if the companies that we are told directly benefit from these so-called “essential” services aren’t willing to fund them, maybe that is just nature’s way of telling us we shouldn’t be fleecing our constituents’ earnings to pay for something either.

And why would we tap American taxpayers to subsidize the export activities of foreigners, as Simpson-Bowles notes?

The rules of the House were specifically written to prevent this type of unauthorized expenditure, and they provide for a point of order to be raised if it is included in an appropriations
The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The Clerk will read.

The Clerk reads as follows:

ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, for trade adjustment assistance, for grants authorized by section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), $213,000,000, to remain available until expended.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $37,000,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY
MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $123,000,000.

ECONOMICS AND STATISTICS ANALYSIS
SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $100,000,000, to remain available until September 30, 2017.

BUREAU OF THE CENSUS
CURRENT SURVEYS AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics, provided for by law, $326,000,000: Provided, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: Provided further, That the Bureau of the Census shall collect data for the Annual Social and Economic Supplement to the Current Population Survey using the same health insurance questions included in previous years, in addition to the revised questions implemented in the Current Population Survey beginning in February 2014.

AMENDMENT OFFERED BY MR. NUGENT

Mr. NUGENT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 6, line 20, after the dollar amount, insert "(reduced by $4,000,000)"

Page 44, line 7, after the dollar amount, insert "(increased by $2,000,000)"

Page 46, line 7, after the dollar amount, insert "(increased by $2,000,000)"

Page 42, line 24, after the dollar amount, insert "(increased by $4,000,000)"

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and Mr. McCaul each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. NUGENT. Mr. Chairman, I have an amendment at the desk.
Mr. NUGENT. Mr. Chairman, each day more and more Americans are realizing that we need to take action to deal with mental health issues in this country. We need to make it a priority.

My amendment, in keeping with that sentiment, would provide additional funding for programs under the Mentally Ill Offender Treatment and Crime Reduction Act and for Veterans Treatment Courts.

These are programs with proven track records of effectively addressing some of the important issues associated with mental health illnesses. My amendment would offset this increase by taking $4 million from the periodic censuses and programs account.

Mr. Chairman, both of the programs that would receive an increase in funding under my amendment highlight the need for our justice and mental health systems to work together. As a former sheriff, I can tell you that cooperation is vital. If our justice and mental health systems are collaborating, we can provide more positive outcomes not only for those with mental health illnesses, but for taxpayers as well.

Grants provided under MIOTCRA are used, among other purposes, to set up mental health courts, for community reentry services, and for training State and local law enforcement officers to help identify and provide additional mental health crises, which saves the lives of both the mentally ill and of the responding officers.

During my 37 years as a cop, I saw firsthand how our jails were becoming warehouses for people with mental health needs. No one is well served by this process, not those with mental illness, not our taxpayers, and, certainly, as I spoke earlier, not our veterans.

Let me provide you with some numbers to illustrate what actually is going on within our jails.

According to the Florida Mental Health Institute, over a 5-year period, 97 individuals from Miami-Dade County accounted for 2,200 bookings in the county jail; 27,000 days in the jail; and 13,000 days in crisis units, State hospitals, and emergency rooms.

The cost to the State and to local taxpayers was nearly $13 million for just 97 people. However, the type of programs my amendment supports have been shown to dramatically reduce those rates.

In Pinellas County, for instance, which is another Florida county, a mental health jail diversion program showed an 87 percent reduction in re-arrests for the nearly 3,000 offenders who were enrolled. Not only does my amendment support these programs, but it also recognizes the unique responsibility that we have to our veterans.

Veterans are disproportionately affected by mental health illnesses. Even more, they would likely not have these issues if it weren’t for their service to this country. We owe them a better outcome, and Veterans Treatment Courts can help. My point is that they are some of the best investments we can make.

Mr. Chairman, I reserve the balance of my time.

Mr. COLLINS. Mr. Chairman, I claim the time in opposition, but I am not opposed to the gentleman’s amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. Mr. Chairman, I support the gentleman’s amendment. Veterans courts and mental health courts do great work. It is a very important role that they serve. I want to also thank the gentleman for his service as a police officer. We just simply cannot thank our police officers enough for the good work that they do, and I strongly support the gentleman’s amendment.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I support the gentleman’s amendment, and I thank him for offering it.

Mr. CULBERSON. Mr. Chairman, I yield back the balance of my time.

Mr. NUGENT. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. I appreciate the gentleman from Florida for yielding.

Mr. Chairman, I rise today in support of the Nugent-Collins amendment, which provides critical additional funding for Veterans Treatment Courts and mental health courts.

I have seen firsthand the difference that mental health courts and Veterans Treatment Courts can make. Over the course of the past few months in and around the Ninth District and all over Georgia, this is something that I have worked on not only in the State of Georgia, but also in working nationally here with my friend from Florida.

Our jails are not mental health facilities, but we continue to use them that way, despite the fact that they are not in anyone’s best interest. By treating the mentally ill with compassion, we can provide them a second chance to get better.

We can also cut costs, empower States, reduce recidivism, and ensure that law enforcement officers can focus on protecting the safety of the public. By investing in Veterans Treatment Courts, we can better serve those who have served us, and we can address PTSD and related issues in a more meaningful way.

I appreciate Mr. NUGENT and his tireless leadership on this issue in advocating for a better, more sensible approach. Together we introduced the Comprehensive Justice and Mental Health Act, which would expand and further improve upon the mental health and Veterans Treatment Court programs that are funded by H.R. 2578.

I just want to encourage everyone to support this amendment. Again, let’s take an honest, serious look at how we are dealing with those with mental health illnesses.

Mr. NUGENT. Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. I talked to our colleague from Georgia, who just spoke on this matter, and I know how he has talked about how this is really critically important for veterans.

It is a population that we have to be concerned about, so I want to thank you again for offering this, and the chairman and I agree.

Mr. NUGENT. In reclaiming my time, Mr. Chairman, I appreciate the chairman of the subcommittee and I appreciate the ranking member in their support of this because it really is about how we deal with our fellow man.

It is about a way that we shouldn’t be criminalizing mental health disorders. That is the worst thing that we can do. As a police officer and as a sheriff for over 30 years, I have seen the effects of untreated mental illness, particularly in the county jails where they are now warehoused.

I truly do appreciate the support across the board, and I will tell you that our law enforcement officers and our correctional officers will support it also.

I yield back the balance of my time.

The Acting CHAIR (Mr. RODNEY DAVIS of Illinois). The question is on the amendment offered by the gentleman from Florida (Mr. NUGENT).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk reads as follows:

PERIODIC CENSUSES AND PROGRAMS
(INCLUDING TRANSFER OF FUNDS)

Provided further, That not more than 50 percent of the amounts appropriated, $1,551,000 shall be transferred to the “Office of Inspector General” account for activities associated with investigating and auditing related to the Bureau of the Census:

Provided further, That not more than 50 percent of the amounts made available under this heading for information technology related to the 2020 census delivery, including the Census Enterprise Data Collection and Processing (CDBaP) program, may be obligated until the Secretary submits to the Committee on Appropriations of the House of Representatives and the Senate a plan for expenditure that (1) identifies for each CDBaP project/investment over $25,000 (a) the functional and performance requirements to be delivered and the mission benefits to be realized, (b) the estimated lifecycle cost, including milestones to be met, and (c) key development and operational risks.

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and schedule variances, and (b) top risks and mitigation strategies, and (3) has been submitted to the Government Accountability Office.

AMENDMENT OFFERED BY MR. POE OF TEXAS Mr. POE of Texas, Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 7, line 8, insert after the dollar amount the following: "(reduced by $17,300,000)".

Page 38, line 9, insert after the dollar amount the following: "(increased by $17,300,000)".

Page 41, line 14, insert after the dollar amount the following: "(increased by $17,300,000)".

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POE of Texas. Mr. Chairman, Congress has made it clear that it will not stand for this new scourge that we are finding in our country of human sex trafficking. The Justice for Victims of Trafficking Act passed the United States Senate 99-0, and it passed the House of Representatives before that with only 3 Members voting against it and all 400-plus voting for it.

Modern-day slavery does happen in the United States. It is a multibillion-dollar business. It is second only to the international trade in illegal drugs in the amount of money that is raised. It is not time for us to lower the amount of money we have for grants that will assist the victims of this scourge. That is why my amendment brings in just $173 million to this fund that was cut. This $173 million will bring it up to last year’s level so that $43 million will go for victim services and victim grants.

Where does this money come from? From where are we taking it? We are taking it out of the periodic censuses and programs and applying it to this fund.

The periodic censuses and programs—let me make it clear—is not the constitutional census counting that is required to be done by the Census Bureau. This is another program that the Census Bureau has. It is sometimes called the American Community Survey, and programs and applying it to this fund.

I reserve the balance of my time.

The Clerk reads as follows:

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration, there shall be appropriated for the years fiscal 2016 and 2017—(1) $35,200,000, to remain available until September 30, 2017, for the administration of prior-year grants, to remain available until expended.

The Clerk reads as follows:

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $35,200,000, to remain available until September 30, 2017: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: Provided further, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities that are consistent with the purpose of grants, and such funds received from other Government agencies shall remain available until expended.

The Clerk reads as follows:

For the administration of prior-year grants, recoveries and unobligated balances of grants previously appropriated are available for the administration of all open grants until their expiration.
For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property, and shall be available for the amount, $3,272,000,000, to remain available until expended: Provided, That the sum herein appropriated from the general fund shall be reduced by 10% of collections of offsetting collections of offsetting surcharges assessed and collected by the USPTO under any law are received during fiscal year 2016, so as to result in a fiscal year 2016 appropriation from the general fund estimated at $2,948,800,000: Provided further, That during fiscal year 2016, should the total amount of such offsetting collections be less than $3,272,000,000 this amount shall be reduced accordingly: Provided further, That any amount received in excess of $3,272,000,000 in fiscal year 2016 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: Provided further, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as programming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That any amounts reprogrammed in accordance with the preceding proviso shall be transferred to the United States Patent and Trademark Office "Salaries and Expenses" account: Provided further, That from amounts provided herein, not to exceed $900 shall be made available in fiscal year 2016 for official reception and representation expenses: Provided further, That in fiscal year 2016 from the amounts made available for "Salaries and Expenses" for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 833(a) of title 5, United States Code, and the percentage (as determined by section 8331(17) of that title) as provided by the Office of Personnel Management (OPM) for USPTO’s specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO’s specific use, of retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and shall be available for the authorized purposes of those accounts: Provided further, That any differences between the present value factors published in OPM’s yearly annual report and the factors that OPM provides for USPTO’s specific use shall be recognized as an imputed cost on USPTO’s financial statements, where applicable: Provided further, That notwithstanding any other provision of law, all fees and surcharges assessed and collected by USPTO are available for USPTO only pursuant to section 28, United States Code, as amended by section 22 of the Leahy-Smith America Invents Act (Public Law 112–29): Provided further, That within the amount received in excess of $2,000,000 shall be transferred to the "Working Capital Fund": Provided, That not to exceed $5,000 shall be for official reception and representation expenses: Provided further, That NIST may provide funds for summer undergraduate research fellowship program participants.

**AMENDMENT OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS.**

Ms. EDDIE BERNICE JOHNSON of Texas, Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 12, line 9, after the dollar amount insert "(increased by $3,000,000) (reduced by $3,000,000)".

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Ms. EDDIE BERNICE JOHNSON of Texas, Mr. Chairman, I yield myself such time as I may consume.

My amendment is intended to ensure that the important forensic standards work at the National Institute of Standards and Technology, or NIST, is fully funded.

The criminal justice system relies on forensic science to identify and prosecute criminals and to exonerate the falsely accused. Justice is not served by either the falsely accused or the victims and their families when the wrong person is imprisoned.

In a series of investigations over the last few months, the Washington Post, the Innocence Project, and the FBI itself have reported on a flawed forensic work that may be responsible for wrongful convictions in thousands of criminal cases.

Innocent people have spent decades in prison, and our State certainly knows about many of them—my home county, as a matter of fact. Some may have already been put to death while the guilty have gone free.

These investigations have covered hair analysis, bite mark analysis, and even DNA, which most people previously believed to be 100 percent accurate and reliable. In short, there has been a steady stream of bad news about flawed forensic work being used in criminal court. And I worry that we are just seeing the tip of the iceberg.

In a year 2009 report, "Strengthening Forensic Science in the United States: A Path Forward," the National Academy of Sciences found that the interpretation of forensic evidence is verely compromised by the lack of supporting science and standards.

Many forensic techniques and technologies lack a scientific foundation. Operational principles and procedures are not standardized, and there are no standard rules for the reporting of forensic evidence.

Since then, I have worked with colleagues in the Senate to develop legislation that would strengthen forensic science and standards and ensure that the Nation's laboratories and evaluators also took notice and has initiated several activities, even without direct action from Congress. The Department of Justice and NIST have become strong partners in this effort. Now, of my colleagues on Appropriations would like to gut one of these core activities, the standards development work managed by NIST.

For reasons that I cannot comprehend, the report language accompanying its track, a voluntary NIST process from continuing the voluntary consensus standards development work already underway through the forensic science area committees. These committees coordinate development of guidelines and guidelines for the forensic science community to improve the quality and consistency of forensic evidence used by our justice system.

These committees were established according to the longstanding and well-respected NIST process for developing voluntary consensus standards. As such, the membership of these committees represent the full breadth and depth of stakeholder organizations, including forensic science practitioners, as well as academic scientists and engineers, law enforcement, and others.

To the best of my knowledge, these committees have the support of the full range of stakeholders. Why would we want to gut one of these committees represent the full breadth and depth of stakeholder organizations, including forensic science practitioners, as well as academic scientists and engineers, law enforcement, and others.

To the best of my knowledge, these committees have the support of the full range of stakeholders. Why would we want to gut one of these committees represent the full breadth and depth of stakeholder organizations, including forensic science practitioners, as well as academic scientists and engineers, law enforcement, and others.

Mr. CULBERSON. Mr. Chair, I look forward to working with my colleagues from Texas and with my colleagues from Philadelphia on this matter as we work toward the conference report.

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Mr. CULBERSON. Mr. Chair, I look forward to working with my colleagues from Texas and with my colleagues from Philadelphia on this matter as we work toward the conference report.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you very much, Mr. Chairman.

Mr. FATTAH. Will the gentlewoman yield?
Ms. EDDIE BERNICE JOHNSON of Texas. I yield to the gentleman from Pennsylvania.

Mr. FAITTAH. Mr. Chair, I also would work with the gentlewoman and the chairman on this. You know, the premise of our entire judicial system is that no one should be charged with a crime and held in prison unless they have committed a crime and no one would rather a guilty person go free than any innocent person be in prison.

Forensic science has brought a lot to the business of better understanding actually what has taken place and to make sure that people don’t go innocent people incarcerated.

Ms. EDDIE BERNICE JOHNSON of Texas. With that, I ask unanimous consent to withdraw this amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

The Acting CHAIR. The Clerk will read.

The Clerk reads as follows:

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Hollings Manufacturing Extension Partnership of the National Institute of Standards and Technology, $130,000,000, to remain available until expended.

AMENDMENT OFFERED BY MS. ESTY

Ms. ESTY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 36, line 7, after the dollar amount insert "(reduced by $31,000,000)".
Page 12, line 20, after the dollar amount insert "(increased by $11,000,000)".

The Acting CHAIR. Pursuant to the request of the gentlewoman from Connecticut, a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. ESTY. Mr. Chairman, we should invest in manufacturing, which plays such a vital role in innovation and competitiveness. The Federal Government is uniquely situated to help ensure that manufacturing remains the backbone of the U.S. economy.

My amendment fully funds the Manufacturing Extension Partnership program by increasing funding for the industrial technologies account by $11 million. This program is a trusted adviser for our small- and medium-sized manufacturing companies looking to grow their business and increase their workforce in sales.

Since 2013, CONNSTEP clients have helped 51 Connecticut companies retain more than $527 million in sales, and realized cost savings of $81 million statewide. In Thomaston, in my district, Metallon, Incorporated, a metal stamping and assembly facility, partnered with CONNSTEP to help conduct internal quality auditing and secure new products. Thanks to the partnership with CONNSTEP, Metallon expanded their workforce and increased sales by half a million dollars.

Metallurgical Processing, Incorporated, a metal processing facility in New Britain, Connecticut, saw a 20 percent increase in production capacity and $181,000 in cost savings after working with CONNSTEP to streamline product flow and improve production efficiency.

CONNSTEP’s support for Connecticut business is critical to our continued leadership in manufacturing, as we not only retain but grow these jobs and the expertise that helps us compete.

CONNSTEP’s support has successfully helped our manufacturers to be competitive in an increasingly globalized economy.

But make no mistake, these successes are only part of the picture. The Manufacturing Extension program has a proven track record of effective partnerships with manufacturers all across the country. Since the MEP program started more than 25 years ago, centers across America have created more than 729,000 manufacturing jobs, saved companies more than $13.4 billion, and turned every dollar of Federal investment into $19 in new sales growth.

The additional funding of the MEP program will enable our centers to fully execute their mission and undertake a robust technology transfer program to help manufacturers take new discoveries from the research lab to the marketplace.

I encourage all my colleagues to support my amendment to fully fund the Manufacturing Extension Partnership program and invest in our manufacturing future.

Mr. Chairman, I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I rise in opposition to the amendment because our Federal prison system is already between 30 and 50 percent overcrowded. We have not built a new prison in the United States since 2009. It is vitally important that we have got these prisons in place to keep our most dangerous criminal offenders off the streets.

The amendment that the gentlewoman has offered would immediately prevent the Bureau of Prisons from expanding its capacity and do severe damage to their ability to reduce overcrowding, which is a threat to the staff, a threat to the inmates, and a threat to the public.

The gentlewoman’s amendment—I use the word gentlewoman, if she is concerned—to support the Manufacturing Extension program, we cannot do so at the expense of public safety.

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Kentucky, the full committee chairman.

Mr. ROGERS of Kentucky. I thank the chairman for yielding.

It is no secret, Mr. Chairman, that there is a strain on our Nation’s prison system. As the inmate population continues to rise, our prisons get more and more crowded every day. As the inmate population continues to rise, with 236,000 individuals serving Federal sentences, our prisons get more and more crowded every day.

At the end of fiscal 2013—listen to this—25 percent of our medium security inmates and 85 percent of our low security inmates were triple bunked—three people in a single cell. Considering that 8 out of every 10 medium security inmates has a history of violence, this creates some very serious questions about the safety of the BOP staff, the public, and even other inmates. Updating our prisons will improve inmate and staff safety and security, increase efficiency and staff safety and staffing and permits staff to safely oversee more inmates.

Our medium and maximum security prisons house some of the world’s most dangerous and violent criminals. The bill before us provides critical funding to the Federal Bureau of Prisons in order to modernize and strengthen our Nation’s prison infrastructure. These funds will help protect the public as well as the men and women who work at these facilities. It is imperative that we provide them a safe and secure environment within which to work.

The Federal Government has a commitment to keep the public and prison staff safe, and these dollars are needed to fulfill that commitment. So I oppose this effort to reduce funding for the Bureau of Prisons and urge my colleagues to vote “no” on this amendment.

Mr. CULBERSON. Mr. Chairman, I reserve the balance of my time. I want to point out the Manufacturing Extension program is already fully funded. They have got $130 million set aside for the program in the bill; and, quite frankly, the amendment would endanger the public because we would not be able to provide the currently needed construction of new prison facilities. So I urge my colleagues to join us in opposing this amendment.

I yield back the balance of my time.

Ms. ESTY. Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from Connecticut has 1½ minutes remaining.
Mr. FATTAH. Will the gentlewoman yield?

Ms. ESTY. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, let me just say that I rise in support of the amendment, and I think this shows a bigger picture here if the country has to choose between promoting manufacturing and whether or not we can safely operate the world’s largest prison system. We incarcerate more people than any other country in the rest of the world on a per capita basis. We need to be employing more people in manufacturing. This makes sense. I support the gentlewoman’s amendment.

Ms. ESTY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. Esty).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. ESTY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of Rule XVIII, further proceedings on the amendment offered by the gentlewoman from Connecticut will be postponed.

The Clerk will read.

The Clerk read as follows:

CONSTRUCTION AND OPERATIONS, RESEARCH, AND FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for in the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c–278e), $50,000,000, to remain available until expended: Provided, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate of the cost of National Institute of Standards and Technology construction projects having a total multi-year program cost of more than $5,000,000, and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for such each project for each of the 5 subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, $3,147,877,000, to remain available until September 30, 2018, except that funds provided for cooperative enforcement shall remain available until September 30, 2018: Provided, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding section 3302 of title 31, United States Code: Provided further, That in addition, $130,164,000 is provided by transfer, and $3,256,541,000 provided for in direct obligations under this heading $3,147,877,000 is appropriated from the general fund, $130,164,000 is provided by transfer, and $3,756,541,000 is provided in direct obligations of prior year obligations: Provided further, That the total amount available for National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed $208,100,000: Provided further, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: Provided further, That in addition, for necessary retired pay expenses under the Retired Serviceman’s Family Protection and Survivor Benefits Plan, and for payments for the medical and dental care of retired Servicemen’s Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

Amendment offered by Mr. Austin Scott of Georgia.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 1, after the dollar amount, insert “$10,000,000 “.

Page 98, line 20, after the dollar amount, insert “(increase by $200,000) ”.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Georgia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I would like to take a minute to tell you how we got here.

As someone who fished in the Gulf of Mexico long before I got elected to Congress, when they started reducing the snapper season back in 2007, we had a maximum of 190 days to fish as the recreational angler. They have now taken that down to 10 days.

Through the Gulf councils, the National Marine Fisheries Service has worked through the councils to reduce the American recreational fisherman’s opportunity to fish for red snapper in the Gulf of Mexico. Since 2007, at the same time, they have increased quotas and allocations for the commercial sector. And most recently through the Gulf council, they cast a vote, 7–10, to split the recreational sector, and they gave the for-hire recreational sector 45 days and the not-for-hire 10 days.

Now, let me just explain what that means to you. It means that if you want to just take your family fishing, you have 10 days to do it. If you want to go in the other 35 days of that recreational season, you have to pay a charter boat captain to take you out.

What happened with the council is those of the members who had a vested interest in the charter boat industry that they did not disclose prior to the vote, even though Federal law required that they do it. Then, they turned around and cast that vote which personally benefited them, which, again, was illegal.

I appreciate the committee working to put in the money for more data in an effort to get the recreational season back for the not-for-hire recreational angler, but to be honest with you, if you give them all the data in the world, no matter what it says, if they continue to conduct themselves in that manner, it won’t matter. They will simply allocate themselves more fish.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim time in opposition, but I am not opposed.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. I understand the gentleman is going to withdraw his amendment, and he has identified a serious problem that he has brought to our attention that I want to work with my ranking member on.

I understand that it sounds to me like we have just a clear violation of Federal law involved here, and I am very distressed to hear of this reduction. It is a 95 percent reduction in the time available to individual Americans to fish, which is a very important part for many people that are here, for people that are responsive to the needs of private fishermen, I would like to work with my colleague from Philadelphia on this.

I reserve the balance of my time.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, let me say that I thank the chairman and ranking member. This is something that needs to be rectified. If an illegal action was taken, it needs to be reversed.

Based on your commitment to work with us on this amendment at this time, I look forward to having those discussions, and I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Amendment offered by Mr. Blumenauer and Mr. Cogen.

Mr. CULBERSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.
June 2, 2015

CONGRESSIONAL RECORD — HOUSE

H3685

The Clerk read as follows:

Page 14, line 1, 18, and 19, after each dollar amount, insert "(reduced by $60,760,000) (increased by $60,760,000)":

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Oregon and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, I yield myself 2 minutes.

Speaker. Mr. Chairman, in this bill for NOAA's climate research is shamefully inadequate and puts at risk efforts to mitigate and respond to the impacts of climate change. It cuts NOAA's climate research by $30 million relative to the current fiscal year's inadequate level and is $61 million below the President's request. I am offering an amendment to restore the funding to the President's level.

All across America, we are dealing with the impacts of climate change. Extreme weather events, whether it is the recent floods in Texas, or the persistent 4-year drought in California, are regular events. They claim lives and cost billions of dollars each year. Floods, droughts, superstorms, wildfires, heat waves, and sea level rise are all made worse as a result of climate change.

We are no longer talking just about preparing for the future. It is happening now. And the evidence is clear as we go from one extreme weather event to another that it is getting worse.

NOAA climate research funds atmospheric and oceanic research, cooperative institutes, universities, climate research laboratories, and others that will advance climate science and enable better decisionmaking and better policies to make our communities more resilient.

It makes no sense to defund programs that help us prepare for extreme weather events; mitigate the impacts of such events; prevent the loss of human life, infrastructure, and property; and better predict these occurrences.

Choosing to deny climate change does not stop it from happening, and failing to study and authorize these programs will not make the problem go away. In fact, it will only make us worse.

NOAA climate research funds atmospheric and oceanic research, cooperative institutes, universities, climate research laboratories, and others that will advance climate science and enable better decisionmaking and better policies to make our communities more resilient.

It makes no sense to defund programs that help us prepare for extreme weather events; mitigate the impacts of such events; prevent the loss of human life, infrastructure, and property; and better predict these occurrences.

Choosing to deny climate change does not stop it from happening, and failing to study and authorize these programs will not make the problem go away. In fact, it will only make us worse.

NOAA climate research funds atmospheric and oceanic research, cooperative institutes, universities, climate research laboratories, and others that will advance climate science and enable better decisionmaking and better policies to make our communities more resilient.

We have made sure in this bill that NOAA is focusing on their core function, and that is looking to the future. That, of course, is going to involve looking at climate. But over the past several years climate funding within NOAA has received more than adequate funding, and we have to use the scarce, very precious, hard-earned taxpayer dollars that we are entrusted to appropriately very carefully. We have to prioritize that funding, and within this bill, we have chosen to prioritize weather forecasting.

I respect the gentleman's judgment but would ask him if he could withdraw the amendment, and I look forward to working with him to ensure that NOAA has got everything they need to accurately predict the weather in the future.

I reserve the balance of my time.

Mr. BLUMENAUER. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Chairman, I rise to support the Blumenauer amendment.

In business, we are always fighting the long game giving away to the urgent and the immediate. I am deeply disappointed that this budget for climate research has been cut by $30 million. Now is not the time to cut climate research.

From the floods in Houston to the drought in California, shifts in climate over the next few decades will cost American companies and American communities trillions of billions of dollars. NOAA has the ability to do advanced forecasting predictions certainly for weather- and for ocean-related phenomena, but they also have it for climate short- and long-term change. This ability is crucial to support the future of our businesses, coastal cities, and environmental health.

This Congress has repeatedly affirmed that climate change is real. We may be skeptical about the cause of climate change and certainly what we can do to combat it, but it makes no sense to slash the very research which will enable us to find effective, bipartisan solutions.

We must robustly fund climate science research, and I urge my colleagues to support this amendment.

Mr. BLUMENAUER. Mr. Chairman, I understand the gentleman is going to withdraw the amendment, and I continue to reserve the balance of my time.

Mr. BLUMENAUER. I yield 1 minute to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. In this bill there are three cuts: at NASA on the Earth Science program, the cut to the National Science Foundation in terms of the ability to focus on geosciences, and the issue that is raised by my great friend from Oregon, and they combine to make the point that there is not yet a consensus in one place. Even though there is a consensus in the scientific community, the majority still is not yet clear that climate is something that we need to focus on.

I urge support for the Blumenauer amendment.

Mr. BLUMENAUER. Mr. Chairman, I respect my friend from Texas. I appreciate his willingness to work with me and his notion of putting more resources in forecasting, but that is not the issue here.

What we need to be doing is having a robust effort at NOAA to be able to deal comprehensively with climate, being able to deal with how we help communities be more resilient, how we are able to deal with the forces that are down upon us to help the scientific basis to be able to be able to encourage this Congress to step up and do its job.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I could go on, but I would like to briefly explain.
The Saltonstall-Kennedy Act of 1954 imposed a special duty on fish and fish products imported into the United States and required that 30 percent of the money collected by NOAA would go toward supporting fisheries and research and development on the industry’s sustainability. However, NOAA has not been properly paying into its regional fishing grant programs and is using these tariffs as part of its operational expenses.

To ensure a thriving fishing industry, we must invest in initiatives that increase the stock of our Nation’s fisheries by providing grants to research and monitor them as well as management programs.

During my first term, I introduced legislation that would ensure that key programs critical to sustainably managing ocean fish populations and the fishermen and communities that depend on them would receive increased and sustained funding.

I sincerely thank Chairman CULBERSON for considering my appropriations letter and including the transfer of $130 million in existing funds to be used exclusively on Saltonstall-Kennedy fishing activity, particularly the S-K regional fisheries investment grant program.

This transfer of funds will directly provide grants to regional fishery management councils that would work with area fishermen to identify investment priorities. These investment priorities include weather assistance, improving shorelines infrastructure, seafood promotion, and managing highly migratory species.

The transfer of these funds will help; however, it is a temporary fix to a much larger issue.

This year, I, along with my friend Congressman BILL KEATING, have introduced legislation that would ensure that NOAA follow the requirements laid out in the Saltonstall-Kennedy Act of 1954.

Again, I want to thank Chairman CULBERSON for taking my letter and thoughts into consideration. I appreciate the hard work of the committee on this issue and the bill.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, but I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. Mr. Chairman, I like to work with the gentleman from New Hampshire on this issue as we move forward. I understand the importance of the issue. I appreciate very much you raising it here with us today, and we look forward to working with you.

We do include language stating that certain funds may be used only for activities related to the Saltonstall-Kennedy Grant Program.

We have worked with NOAA for the past several years to reduce their administration costs. We will continue to do so this year, and I will continue to work with you as we move forward through the process.

Mr. CULBERSON. Mr. Chairman, I reserve the balance of my time.

Mr. GUINTA. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Amendment Offered by Mr. POLIS

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 14, lines 1, 18, and 19, after each dollar amount, insert “(reduced by $30,000,000) (increased by $30,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, I rise in opposition to several of the critical accounts in the bill that have been cut, which my amendment would address.

The CJS Appropriations Act specifically targets funding for NOAA’s climate research programs by $30 million over current law. It is a program so important for farmers, for businesses, for air safety, for so many different reasons. That is a 20 percent cut to programs that are imperative to our Nation’s ability and resilience in the face of climate threats.

Twenty-five people were killed in the floods that saturated Texas last month. Damage from Hurricane Sandy was estimated at $700 billion back in 2012, and at least six people died in Boulder and Larimer County during the flooding that overtook my region in 2013. None of these places had ever seen storms like the ones they encountered over the last 5 years, and each were unprepared to handle it.

NOAA and its partner institutions have made a huge dent in preventing disasters like these by keeping first responders, weather forecasters, businesses, communities, and families on the cutting edge of data predictability and providing quality raw data, as well as helping to develop new algorithms for interpreting existing data.

Two of our partner institutions, CU and CSU, are located in my district in Colorado. Together with NOAA, these institutions are developing unmanned atmospheric assessment aircraft that allow us to foresee changes in weather patterns, incoming storms, days before we could otherwise, saving lives and saving property damages.

These are very real, tangible benefits that benefit all and protect Americans, regardless of whether one believes in climate change or what is causing it. I urge my colleagues to consider a world without these capabilities and what that would look like.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I rise in opposition to the amendment. We have, as I said earlier, scarce resources this year. We have to prioritize the very precious and scarce hard-earned taxpayers dollars that we are entrusted to look after, and we have prioritized funding within NOAA for forecasting in the future.

As I was telling Mr. BLUMENAUER earlier, Mr. Polis, we have made sure that NOAA has got a record level of funding for weather forecasting and most of the things that Mr. BLUMENAUER was mentioning, in terms of forecasting drought, identifying where floods are going to occur.

Looking forward, we have made sure that NOAA’s got all the money they need for forecasting in the future, and we have to, I think, do everything we can to avoid cutting other parts of NOAA that would impair the weather forecasting or the development, maintenance, and operation of the weather satellites which could help NOAA inform people of severe weather.

We, on the Gulf Coast in particular and on the Atlantic Coast as well, depend on NOAA to give us forecasts of the paths of hurricanes. Hurricane season this year, they are predicting—because of the increase in computing power of supercomputers, they are able to predict it looks like it is going to be—the hurricane season this year is not going to be as severe.

That capacity of NOAA to use supercomputing power to look that far into the future is of vital importance, so we have made sure that they have got a record level of funding for forecasting.

We also do not want to reduce NOAA’s capacity to support maritime navigation or to appropriately manage their fisheries. We just have limited resources, is the problem, Mr. Polis; and I just have had to prioritize NOAA’s funding.

We have put weather forecasting at the top of the list because of its vital importance for the economy and for the safety and security of the American people.

I understand you are planning to withdraw the amendment, and I would certainly look forward to working with you. As Mr. BLUMENAUER mentioned a number of worthwhile endeavors that NOAA is engaged in, if you feel there are areas we need to work together on to get NOAA focused on to do a better job of forecasting in the future or other concerns, I would be happy to work with you.

Mr. POLIS. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Colorado if he would like to engage in a colloquy.
Mr. POLIS. I would like to emphasize the importance of climate science with regard to predicting weather. The more we know about climate and climate patterns, the more it enhances our ability to predict short-term weather phenomena, a disproportionate cut to the climate science piece hampers our ability to anticipate weather patterns as well.

Mr. CULBERSON. I look forward to working with you as we move forward in the understanding you are planning to withdraw the amendment.

Mr. POLIS. I have additional speakers.

Mr. CULBERSON. Mr. Chairman, I reserve the balance of my time.

Mr. POLIS. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE).

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Chairman, I think one of the most interesting things about this budget proposal is, without question, the proposal to cut $30 million to NOAA. That represents an approximately 20 percent cut, as my colleague from Colorado was pointing out.

Mr. CULBERSON. I find it interesting that those who would deny the science of climate change often like to say, Well, the jury is still out, we need more research; yet here we are, with a budget that will cut that very research.

Mr. BRENDAN F. BOYLE. Mr. Chairman, just a couple of years ago, in my house in Philadelphia, we were riding out a hurricane. Hurricane Sandy ended up becoming Superstorm Sandy. We never imagined that, in my house in Philadelphia, we would be experiencing the kind of hurricane that typically is experienced by Florida and the Gulf Coast States.

As even a Republican Governor said at the time, it seems as if the storm of the century is now happening once every couple of years.

Mr. Chairman, we desperately need this research. We need this funding. Let's restore NOAA funding.

Mr. CULBERSON. I am still trying to identify who exactly you are asking for because I think we are on the same page when it comes to forecasting and prediction. That is what you are asking for.

Mr. POLIS. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Texas.

Mr. CULBERSON. Thank you for yielding because I have just checked with my staff, and it appears that the money that we have allocated, a record level of funding for NOAA's forecasting, takes care of that aircraft. The gentleman from Texas.

Mr. CULBERSON. Will the gentleman yield?

Mr. POLIS. I yield to the gentleman from Texas.

Mr. CULBERSON. Thank you for yielding because I have just checked with my staff, and it appears that the money that we have allocated, a record level of funding for NOAA's forecasting, takes care of that aircraft. The gentleman from Texas.

Mr. CULBERSON. I am still trying to identify who exactly you are asking for because I think we are on the same page when it comes to forecasting and prediction. That is what you are asking for.

Mr. POLIS. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Colorado.

Mr. POLIS. I wanted to inquire with regard to how the funding cuts would impact development of the unmanned atmospheric assessment aircrafts that are critical to foreseeing changes in weather pattern.

Mr. CULBERSON. If I could, we are going to make sure that NOAA has got all the resources they need to do accurate forecasting. Whether it be through their aircraft or their supercomputers or their modeling, they have got the resources they need to do accurate forecasting for the future.

I am just trying to get a precise idea what it is you are looking for because I think we have given them all they need for forecasting, and that is what you are asking for.

Mr. Chairman, I reserve the balance of my time.

Mr. POLIS. Mr. Chairman, very specifically, this amendment would restore the $30 million of cuts—namely, a 20 percent cut—a disproportionate cut to climate science activities, including unmanned atmospheric assessment aircrafts and including creating raw data streams that can be used by those who predict weather, as well as by farmers and businesses, because you can't separate out weather and climate.

I think, perhaps because of political reasons—I don't know why—there is a disproportionate cut, 20 percent, to the climate science piece of NOAA. Now, that climate science piece of NOAA, just because it has the word climate in it, that doesn't mean it is something that is political. Where they are out there doing things that are political.

What they are doing is they are trying to research the macro effects of climate on weather, on population and patterns, on dangers on ships. If the gentleman from Texas could look at the way we have allocated, under the 20 percent cut, fund that within NOAA.

We are not, nor can we, under the budget, seek new money. We are simply taking the $30 million and putting it back into the climate science program.

Mr. CULBERSON. Will the gentleman yield?

Mr. POLIS. I yield to the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, we desperately need this research; yet here we are, with a budget that will cut that very research.

Mr. POLIS. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Texas.

Mr. CULBERSON. Thank you for yielding because I have just checked with my staff, and it appears that the money that we have allocated, a record level of funding for NOAA's forecasting, takes care of that aircraft. The gentleman from Texas.

Mr. CULBERSON. Will the gentleman yield?

Mr. POLIS. I yield to the gentleman.

Mr. CULBERSON. Mr. Chairman, I think one of the reasons why we have given them a record level of funding, a record level of funding for NOAA's forecasting, takes care of that aircraft.

Mr. POLIS. I yield to the gentleman from Texas.

Mr. CULBERSON. Thank you for yielding because I have just checked with my staff, and it appears that the money that we have allocated, a record level of funding for NOAA's forecasting, takes care of that aircraft.

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Mr. POLIS. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Texas.

Mr. CULBERSON. Thank you for yielding because I have just checked with my staff, and it appears that the money that we have allocated, a record level of funding for NOAA's forecasting, takes care of that aircraft.

Mr. POLIS. Will the gentleman yield?
prediction; and additional sources of weather data, which includes commercial observing systems.

Once again, I appreciate Chairman CULBERSON’s accepting the amendment, which will help save lives and reduce property damage.

As the CJS Appropriations chairman, Mr. CULBERSON has proved himself to be capable, knowledgeable, and committed to the country’s best interest.

Mr. Chairman, I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. Does the gentleman from Texas seek to rise in opposition?

Mr. CULBERSON. Well, I would like to seek some time in opposition, but I do not oppose the amendment. We have agreed to accept it and work this out.

The Acting CHAIR. Is the gentleman from Pennsylvania opposed?

Mr. FATTAH. I am authentically opposed to the amendment, but I would also make an allowance to yield to my chairman after I make my comments.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. CULBERSON), the chairman of the subcommittee.

Mr. CULBERSON. Mr. Chairman, I just want to stress, if I could, that Chairman SMITH has been very supportive and cooperative. We have worked together in arm in arm, as has his ranking member, who is also from Texas. This amendment is one that will help the Weather Service do a better job of forecasting. I think it is a good amendment. It is one that we have worked out together. I do urge Members to support it.

I appreciate the gentleman from Pennsylvania yielding to me.

Mr. FATTAH. Reclaiming my time in opposition, in all good, there is some bad. It is true that this amendment would offer some additional dollars for weather forecasting. But $16 million of it—the bulk of the $21 million—would go into technology transfer. Now, I am not opposed to technology transfer, but to take it out of the administrative work at NOAA, I have visited NOAA, and I understand how the operations there work. I have spent a lot of time learning about its operations. And I can tell you that NOAA cannot perform the duties that our Nation needs without the administrative capabilities.

It would be just like coming here to the Hill and expecting the Congress to function without our back office operations. We would not be able to proceed forward. So I think that it is more important for us to have an appropriate allocation so that we can meet these needs than it is to rob the administrative capability of NOAA at a time when we want to place more demands on it.

I think that the amendment—even though moving towards additional help for weather forecasting—the bulk of it is for a technology transfer to the private sector, which I am all for, but it sounds to me like it is robbing Peter to pay Paul.

On the floor, it may be easy to pass an amendment that cuts administrative costs at a government agency, but it may be something that we live to regret. So I stand in opposition to the amendment.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Oklahoma (Mr. BRIDENSTINE), who is the chairman of the Environment Subcommittee of the Science, Space, and Technology Committee.

Mr. BRIDENSTINE. Mr. Chairman, I would like to thank Chairman SMITH for his leadership on this important amendment as well as Chairman CULBERSON. I thank them for working with us on this amendment. I know we have been working very hard to make sure that this is adequately funded and from the right sources.

By fully funding the weather research and technology transfer that was authorized by my bill, H.R. 1561, this appropriations bill now reflects the House’s will that NOAA prioritize activities that save lives and property. The funding will go to support critical work to increase the lead times that we receive for tornadoes, and a lot of this critical work is being done at the University of Oklahoma. I have heard already that we were looking for more funding for some Cooperative Institutes, and that is what this is.

This is of extreme importance to my State, as I have already lost constituents this year from tornadoes. It is my sincere belief that this appropriations bill now ensures that programs are funded that will eventually move us to a day where no one is killed in a tornado or other severe storm event.

Again, I thank Chairman CULBERSON and Chairman SMITH for their leadership on this issue. We need to adopt this amendment so that we can save lives and property, especially as it relates to my constituents in Oklahoma.

Mr. FATTAH. I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield back the balance of my time.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KEATING

Mr. KEATING. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 14, line 1, after the dollar amount, insert "(reduced by $1,750,000)" (increased by $1,750,000).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Massachusetts and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. Mr. Chairman, I am prepared to offer and withdraw my amendment.

I rise for the purpose of engaging in a dialogue with the chairman and the gentlewoman from Maine.

Since 1972, the National Marine Fisheries Service has utilized trained fishery observers to monitor and assess the health of fish populations along the coast of the United States, providing critical data gathered from commercial vessels that is then used to guide NOAA in determining best practices for conservation and sustainable management.

The fishing industry is a willing and engaged partner in supporting the use of on-vessel observers. However, following a legal challenge, this August, NOAA will run out of funding to continue paying for this mandated program.

I have heard from fishermen from the south coast of Massachusetts, to Cape Cod and the islands, to the south shore who are still struggling from the impacts of diminishing groundfish stocks and worry they will be unable to cover the portion of this cost.

Our region is still reeling from the collapse of the groundfish industry that prompted Federal disaster relief. This is particularly true for some small fishing businesses, where this added burden can be the difference between success and failure as a business.

I am working with my New England and Massachusetts colleagues and NOAA to find an interim solution. And as we look to 2016, I ask that we work to provide adequate funding for at-sea and dockside monitoring for fisheries with approved catch share management plans that impose observer coverage as a condition for new and expanded fishing opportunities. We also want to ensure that we can seek cost-effective technological alternatives, where appropriate.

I yield such time as she may consume to the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE. I thank my colleague from Massachusetts and Chairman CULBERSON for chatting with us about this particular issue.

Mr. Chairman, as has been already stated here by my colleague today, there is never a good time to ask our fishermen to take on a cost of this size that we are discussing here. But now is an even worse time than most because it will be asking those who make their living on the Gulf of Maine to pay for onboard monitors when the ground fishery is struggling. I understand the tough position that NOAA is in due to tight budgets, but times are even tougher on the men and women who make their living from groundfish fishing.

I hope NOAA can find a way to avoid making them pay for onboard monitors, and whatever the short-term solution is, I think NOAA should look at
ways to conduct monitoring through the use of onboard cameras or other cost-effective electronic technologies. I hope the chairman will be willing to work with us on this and with NOAA on this issue that affects so many of our hard-working constituents.

Mr. KEATING. Mr. Chairman, I would like to take this time to thank the chair and ranking member for their willingness to engage in what really is an important issue. I look forward to working together with Chairman CULBERSON and Ranking Member FATTAH on this issue.

Mr. CULBERSON. Will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, I look forward to working with the gentleman from Massachusetts. I recognize how important the Northeast Multispecies Sector Management Program is to working with the gentleman and my colleague from Philadelphia as we move forward through conference.

Mr. FATTAH. We are going to work to get to a more satisfactory resolution.

Mr. KEATING. I thank the ranking member and the chair.

Mr. Chairman, at this time, I ask unanimous consent to withdraw this amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDMENT OFFERED BY MR. CLAWSON OF FLORIDA

Mr. CLAWSON of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment:

The Clerk reads as follows:

Page 14, line 1, after the dollar amount insert "(reduced by $2,000,000)".

Page 25, line 3, after the dollar amount insert "(increased by $2,000,000)".

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. CLAWSON of Florida. Mr. Chairman, this afternoon I am introducing an amendment which would take $2 million from the Department of Justice's legal activities, salaries and expenses, general legal activities current budget of $18,500,000, which has been flat over the last several years, and I would put this $2 million, instead, to NOAA in their operations, research, and facilities fund—specifically directed to NOAA's National Marine Fisheries Service Habitat Conservation and Restoration initiative.

This nationwide initiative includes hundreds of community-based habitat restoration projects that conserve or restore America's precious native species and critical water quality restoration. This amendment is consistent with the focus of my office to cut government spending and motivate our civil servant management teams to achieve higher cost efficiencies throughout the Federal Government and to focus more on critical environmental priorities. In short, less administration expense; more money for water, fish, and atmospheric.

Back in April, I introduced an amendment to H.R. 2028, the Energy and Water Development and Related Agencies Appropriations Act, with Representative PATRICK MURPHY of Florida that would move $1 million of the Army Corps of Engineers' salary and expense budget to construction projects in the Corps, like the South Florida Ecosystem Restoration and the Herbert Hoover Dike.

This amendment today likewise will help fund critical habitat projects across America, including important work in my district, like the Galt Preserve Restoration Project in St. James City; the Clam Bayou Oyster Reef Restoration; the Florida Keys and Water Quality on Sanibel Island; the Ding Darling Mangrove Restoration Project on Sanibel Island; Florida's Bay Scallop Metapopulation Stabilization at Pine Island Center; the Mangroves Conservation Initiative, in Naples; and the Sam Williams Island Mangrove Restoration and Tarpon Bay Hydrologic Restoration on Marco Island.

Habitat restoration plays an important role in the lives and welfare of our constituents, especially mine. America's ecosystem is the lifeblood of so many of our American communities, economies, and culture. Let's do everything we can to preserve it.

Fisheries contribute more than $70 billion to the gross domestic product. Nationwide, commercial and recreational fishing, boating, tourism, and other industries provide more than $28 million in economic activity. Additionally, coastal watershed counties contribute more than $1.5 trillion to the GDP. An estimated 53 percent of the current population live in coastal communities. More than 60 percent of our coastal rivers and bays are moderately or severely degraded by nutrient runoff. This was my original reason for getting into politics. We live with this nutrient runoff in our district, in my backyard, every day. It looks bad. It smells bad. It is a pitiful situation.

One added fact, according to NOAA's studies, 17 to 33 jobs are created for every $1 million invested in habitat restoration.

I say today, let's save a little bit of money, save a lot of jobs. It is good economics. It is good policy. It is good conservation. And I urge both sides to support it.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, but I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. Mr. Chairman, I rise in support of the gentleman's amendment. It is a worthwhile cause and one that we have worked together closely on. So I would urge Members to support the amendment. I look forward to working with you as we move through conference to make sure this is addressed. It is a problem throughout the Gulf Coast and one you are very right to focus Congress’ attention on.

I urge Members to support the amendment.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, I also rise in support of the gentleman's amendment.

Mr. CULBERSON. I yield back the balance of my time.

Mr. CLAWSON of Florida. I would like to thank the chair and the ranking member for their leadership on this. This is a big deal in the Gulf. My appreciation is heartfelt for them making this move and showing this symbol of importance. So in the name of all of my constituents, I thank both of them for their leadership and support on this.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. CLAWSON).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MS. BONAMICI

Ms. BONAMICI. Mr. Chairman, I have amendment No. 4 at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, line 1, after the dollar amount, insert "(increased by $21,559,000)".

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from Oregon and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. BONAMICI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of this amendment to increase funding for the National Oceanic and Atmospheric Administration, NOAA, to support its Integrated Ocean Acidification research and fulfill the administration's requested funding level of $30 million in fiscal year 2016.

The administration's requested funding increase for ocean acidification research reflects a growing consensus in the scientific community and in the coastal and fishing communities that so many of our colleagues and I represent. Ocean acidification is already affecting marine organisms and could irreversibly alter the marine environment and harm our coastal ecosystems.
On the West Coast alone, a $270 million shellfish industry has experienced disastrous oyster production failures and faced the risk of collapse in recent years because of changes in water conditions that have been attributed to ocean acidification. This change in chemistry caused by carbon dioxide in the atmosphere dissolving into the ocean, and the increased acidity of the ocean is harming basic building blocks for life in the sea. This makes it more difficult for marine organisms to build their skeletons and shells, and it slows the formation of important ecosystem features like coral reefs. These changes can ripple through the food chain, disrupting delicate marine ecosystems and threatening major commercial fisheries.

In the Pacific Northwest, the combination of seasonal upwelling of acidic waters, low alkalinity, and increased anthropogenic carbon dioxide creates some of the most corrosive ocean conditions in the nation.

In the last few years, Mr. Chairman, the scientific community has increasingly raised concerns about the ocean. Researchers at Oregon State University have been working with the fishing community in Oregon to determine the effects of acidification. They have been helping the shellfish hatcheries assess the oyster die-off and finding ways to mitigate the harmful upwelling events by monitoring the water entering their facilities. This exemplifies the kind of academic and industry partnerships that are possible when the Federal Government supports academic research.

NOAA’s Integrated Ocean Acidification research program supports extramural research awards that fund studies on acidification in ocean, coastal, and estuary environments. Not only does this program support studies on the effects of acidification, it also allows NOAA to run the observing systems that help monitor areas of increased acidity.

These examples have focused on the effects in Oregon and on the West Coast, but our changing ocean conditions can have far-reaching implications for fisheries throughout the U.S., including the East Coast and Gulf shellfish industries. It also affects the people across the Nation who eat seafood and the stores and restaurants that sell it.

Mr. Chairman, it is clear that we need more information, which is why NOAA’s Integrated Ocean Acidification research program must be fully funded. Unfortunately, this bill falls short of what the American people and our fishing communities deserve.

I urge support of the amendment, and reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania.

Mr. CULBERSON. I understand the gentlewoman is going to withdraw this amendment.

I agree with the gentlewoman that ocean acidification is a serious problem. That is why you see funding in the bill for it. We just have a limited amount of resources.

I will listen to your other speakers, and reserve the balance of my time.

Ms. BONAMICI. Mr. Chairman, can I please inquire about the remaining time?

The Acting CHAIR. The gentlewoman from Oregon has 2 minutes remaining. Mr. Chairman, I yield 1/2 minutes to the gentlewoman from California (Mr. FARR), my colleague.

Mr. FARR. I wish the chairman was accepting this amendment because the faults that we hear are that we have limited resources. We have limited resources, but it is a priority where you give them. This ocean acidification is a serious problem. It is the most serious problem of mankind that we can do something about. When the ocean is starting to melt all the shellfish, the lobster industry, the crab industry, the oyster industry, and the clam industry, all of these industries have a huge effect on not only where they are farming, but where the tourism that is attracted to them.

Mr. Chairman, we can do something about it. We need more money. The President asked for $30 million in this program. The committee cut it to $9.4 million, says he is funding it. However, the President asked for an additional amount of money for the exploration of the moon of Jupiter called Europa. The committee decided to give them $110 million more than the President asked for. So don’t tell me that there isn’t money available. It is just the priority where you give it.

Are you going to save this planet or put all the money into the moon of Jupiter? I think it is more important that we research ocean acidification, and that is why DON YOUNG and I are introducing a bill to tackle this problem more than just this amendment in this moment.

Mr. Chairman, we have to get serious about this. The planet is melting, and the ocean acidification is melting the organisms in the ocean; and when they die, we die.

Mr. CULBERSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would point out to my colleagues we have $8.5 million in the bill for studying ocean acidification. I share your concern. It is a vitally important issue. And the thrust of our work in NASA, as you know from reading the bill, is we have prioritized those missions in the bill that are the top priority of the Planetary Decadal Survey.

We have encouraged NASA to follow the recommendations of the best minds in the scientific community. Every 10 years they get together and prioritize the earth science missions, heliophysics missions, astrophysics missions, those missions aimed at the outer planets, and the Europa mission has been the single highest priority of the Decadal Survey last decade and this decade. The past administration and this one continue to resist the best recommendations of the best minds in the scientific community. I can’t think of if there is a priority mission that science could answer as to whether or not there is life on another world, and that is going to be answered by this mission to Europa.

I agree strongly that we need to research ocean acidification, and that is why there is $8.5 million in the bill for it.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. We have an Earth in which the majority of it is covered by oceans. As a nation, we have more responsibility territorially for the world’s oceans than any other nation. You agree that this is a major issue. It is funded at a level that we think should be increased. I hope that the chairman will work with us as we go forward to see whether we can improve and make even more robust our stewardship, which is our responsibility, as I would understand it. Even though there are other areas in the bill where we have made important sacrifices, maybe this is an area where we can do more.

Mr. CULBERSON. It is one in which I look forward to working with you on to do more to research ocean acidification. That is why you see in the bill a major investment in oceanographic mapping and research, the economic zone of the United States which is unmapped and uncharted and loaded with rare earths and great mineral wealth that Dr. Bob Ballard and his team and other scientists are exploring, and we are investing there.

I look forward to working with you in conference.

Mr. FATTAH. Mr. Chairman, we will work together on this. This is a very important area of interest for me, and I thank the gentlewoman for offering her amendment.

Mr. CULBERSON. Mr. Chairman, I reserve the balance of my time.

Ms. BONAMICI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as I mentioned, I do plan to withdraw this amendment. I do not have the required two-thirds of the committee for this issue in addressing it. I do contend that the amount in this bill is inadequate. So I do look forward to working with the committee chairman, the ranking member, and the committee members addressing this very important issue.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.
Mr. Chairman, the commercial satellite industry has revolutionized everyday life. From telecommunications to imaging to navigation, we reap the benefits of private sector innovation. I truly believe we have that opportunity when it comes to weather satellites as well. By introducing newer, more innovative, more resilient and additional forms of data, and more innovation. However, I understand the constraints that the gentleman from Texas is under when crafting this appropriations bill, and I appreciate his willingness to work with me on this issue. The question I pose to him is: Do you intend to have NOAA provide $9 million from within its Procurement, Acquisition, and Construction appropriation for NESDIS Systems Acquisition to carry out this pilot program in fiscal year 2016 as is authorized in H.R. 1561?

Mr. CULBERTSON. Will the gentleman yield?

Mr. BRIDENSTINE. I yield to the gentleman from Texas.

Mr. CULBERTSON. I agree completely with the gentleman that NOAA should work with the private sector when data is available. It is cost effective and can save the taxpayers money, and, in fact, that is why we included a statement on this in the committee report. I look forward to working with you as we move forward in conference to ensure that this worthwhile goal is achieved.

Mr. BRIDENSTINE. I thank the chairman. I look forward to working together with you and with NOAA to ensure that congressional intent is clear and to make this critically important policy reality. I appreciate your leadership and assistance on this issue.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.
FISHERMEN’S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $350,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERMEN’S FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2016, obligations of direct loans may not exceed $29,000,000 for Individual Fishing Quota loans and not to exceed $1,000,000 for direct loans as authorized by the Merchant Marine Act of 1936.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for the management of the Department of Commerce provided for by law, including not to exceed $1,500 for official reception and representation, $50,000,000.

RENOVATION AND MODERNIZATION

For necessary expenses for the renovation and modernization of the Herbert C. Hoover Building, $3,989,000, to remain available until expended for expenditures for security systems and $2,907,000 shall be for blast-resistant windows.

OFFICE OF INSPECTOR GENERAL


GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 25, 1949 (15 U.S.C. 37). Funds described in section 2(c) of the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments for the construction, alteration, or repair of vessels and other facilities if not payable solely upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3199; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in accordance with the procedures set forth in that section: Provided further, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of any such transfers: Provided further, That any transferred funds shall be used for the same purpose for which the funds transferred were made available.


SEC. 105. Notwithstanding any other provision of law, the Secretary may furnish services (including but not limited to utilities, telecommunications, or security services) necessary to support the operation, maintenance, and improvement of space that persons, firms, or organizations are authorized, pursuant to section 207 of the Geostationary Operational Use Act of 1976 or other authority, to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal and Administrative Services Act of 1949 on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided by this authority under which the use or occupancy of the space is authorized, up to $2,000,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 106. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 107. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or adjacent political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities and statutory duties of the National Oceanic and Atmospheric Administration.

SEC. 108. The National Technical Information Service shall not charge any customer for a copy of any report or document generated by the Legislative Branch unless the Service has provided information to the customer on how an electronic copy of such report or document may be accessed and downloaded for free online. Should a customer still require the Service to provide a paper or digital copy of the document, the charge shall be limited to recovering the Service’s cost of processing, reproducing, and delivering such report or document.

SEC. 109. The Secretary of Commerce may waive the requirement for bonds under 40 U.S.C. 3321 with respect to contracts for the construction, alteration, or repair of vessels, regardless of the terms of the contracts as to payment or title, when the contract is made under the Coast and Geodetic Survey Act of 1947 (33 U.S.C. 680a et seq.).

SEC. 110. In fiscal year 2016, the National Institute of Standards and Technology may use unobligated balances of the National Institute of Standards and Technology—Industrial Technology Services” account for the purposes of and subject to the limitations in section 306G of the National Institute of Standards and Technology Act (15 U.S.C. 278a(e)(2)). This title may be cited as the “Department of Commerce Appropriations Act, 2016”.

TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $105,000,000, of which not to exceed $4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

AMENDMENT OFFERED BY MR. MCKINLEY

Mr. McKinley. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 21 line 6, insert after the dollar amount the following: “(decreased by $2,000,000)”
The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Pennsylvania, and a Member opposed each will control 5 minutes.

Mr. MCKINLEY. Mr. Chairman, many small businesses around the country are struggling, struggling to compete against low-priced foreign imports benefitting from unfair trade practices. They are constantly intimidated by the cost of the legal challenges that they face.

The time in opposition, although I am here to support the amendment.

Mr. MCKINLEY. Mr. Chairman, I yield the balance of my time.

The Acting CHAIR. Mr. Chairman, I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, although I am not supposed to the gentleman’s amendment because it is a good amendment and I support it.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. MURPHY), my good friend and colleague.

Mr. MURPHY of Pennsylvania. I thank the Chairman, and I also thank Representative GRISHAM for this thoughtful amendment we are working together, which will put $2 million towards crisis intervention training for State and local law enforcement and also work towards substance abuse treatment and mental health courts.

In the 1950s, this country had 550,000 psychiatric hospital beds for the population of 150 million. Now, with a population twice that size, we only have 40,000 psychiatric hospital beds.

So what happened? Some people got better. But sadly, what we ended up with is huge increases in homelessness and visits to emergency rooms. Last year in this country there were 40,000 suicides and 1 million suicide attempts.

With this critical bed shortage we have many people who end up committing crimes. Of the 2.4 million incarcerated Americans, about half of them, according to the U.S. Department of Justice, are estimated to have a mental health condition. That is 64 percent in our county and local jails, 56 percent in State, and 45 percent of Federal prisons. Many of our communities are only 35,000 patients with severe mental illness in State psychiatric hospitals. And, according to a report from April 2014, the number of mentally ill persons in prison is ten times higher than that in psychiatric hospitals.

The largest jails in this country—Cook County in Illinois, Los Angeles, and New York—have 11,000 prisoners combined with serious mental illness. Now, that is over twice as large as the three largest State-run mental hospitals.

Mentally ill inmates are twice as likely to be charged with rule violations when incarcerated and actually interactions between the mentally ill and law enforcement too often end in tragedy. Since the beginning of the year, 385 people have been shot and killed by police, and about a quarter of these individuals have been identified as mentally ill. The more training we can provide law enforcement officials to improve their skills to interact with the public, the more likely crises will be resolved peacefully. And the more non-violent peaceful interactions police have with the public, the more they can strengthen trust between the police and the public that they are sworn to protect.

I urge my colleagues to support this amendment, and I reserve the balance of my time.
remain in prison four times longer than a non-mentally ill person with the same original crime. And what happens then? Solitary confinement, tasered. Then when they are discharged, they repeat the cycle in the revolving door. We need to do things like that. It is not illegal to be crazy. Our courts and systems that do not understand mental illness continue to say that, but to them I say it isn't just an issue of someone has a right to be mentally ill; they have a right to be well.

What we need to do is to stop this revolving door of having someone who is hallucinating and delusional and wasting until he commits a crime or is a threat to public safety, instead of intervening earlier.

We need mental health courts; we need ways a policeman can intervene early on, and we need evidence-based initiatives to fix our broken mental health system in America. I know that, in our own court in Allegheny County, they saw a nearly 38 percent reduction in recidivism when they used these health courts.

This is compassion, and this is the right thing to do. I urge my colleagues to support this amendment.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentlewoman's courtesy and her leadership on this, and I appreciate my good friend from Pennsylvania in his eloquence in his tireless championship in this area.

Mr. Chairman, the fact is that we have a broken system that does not meet the needs of people with mental illness, and it places an undue burden on law enforcement. His words about people having a right to be well really resonates with me because we have seen in all of our communities situations that escalate because they don't have the proper response—we don't have the proper training; we don't have the proper resources—where people get worse.

It is not just that it costs more money; it is the pain to the individuals, to their families, and, ultimately, since virtually all of these people are released but are released in a more damaged situation, they are worse. They are a greater risk to themselves and society, and the cycle continues.

There is no doubt in my mind that, if we were able to properly account for the costs and consequences of the current system, we would find that there would be far more resources saved in treating them humanely and effectively, giving the police and the community the resources they need that will more than pay for itself. This is an important step for the Federal Government to be a better partner.

I appreciate the gentlewoman's leadership. I appreciate my friend Mr. MURPHY from Pennsylvania, and I am looking forward to working with him on other items.

I respectfully request that our colleagues not just support this, but take it to heart because we can make a difference on so many different levels.

Mr. Chairman, I support the amendment, and I would encourage Members to support it if you would be willing to request a recorded vote on this.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. On behalf of our country, I attended the Healthy brain: healthy Europe conference in Ireland. The estimate in these 28 EU countries was that some 36 percent of the population had some type of mental health challenge, and they deal with it much more openly and without the stigma that sometimes we attach here in our country to mental health challenges.

I want to thank my colleague from Pennsylvania for his extraordinary leadership on this issue, and I thank the gentlewoman for offering this.

We will support this amendment and ask for a recorded vote.

Mr. CULBERSON. Mr. Chairman, I encourage Members to support the amendment, and I yield back the balance of my time.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chairman, I want to thank my colleagues for working so diligently on this very important improvement to public safety and police training, and I encourage all Members to vote in favor of this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question was taken; and the Acting CHAIR announced that the ayes appeared to have it.

Mr. CULBERSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CULBERSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. The Committee will resume its sitting.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 2048. An act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

COMMERCe, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The Committee resumed its sitting.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 6, insert after the dollar amount the following: “(reduced by $2,209,500)”.

Page 24, line 14, insert after the first dollar amount the following: “(increased by $1,709,000)”.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Arizona and a Member opposed each will control 5 minutes.

Mr. GOSAR. Mr. Chairman, I rise today to offer an amendment which seeks to bolster funds for the Department of Justice inspector general in order to meet the fiscal year 2016 budget request.

As a member of the House Oversight and Government Reform Committee, I am a firm believer in the proper oversight of the Federal Government. The more sunlight on Federal activity, the more honest and efficient it will be.

I am also a strong proponent of our inspector general community. Since the Inspector General Act was passed into law, the IG community has saved taxpayers billions of dollars and has uncovered countless examples of wrongdoing in the Federal Government.

It seems only fitting that the inspector general’s office receive the budget requested resources, particularly at the expense of the office it will likely need to investigate first.

In the committee report, the committee noted, “The DOJ IG has had significant investigative and audit workload.” In fact, we have seen numerous scandals and coverups from within this agency and at the recommendation of the previous Attorney General.

I applaud the committee for including language in this bill to permanently prohibit funds for Fast and Furious-type programs and for the many other reforms contained in this legislation, but I do believe more needs to be done to ensure additional transparency and accountability within the DOJ.

Let’s give the DOJ IG the resources it needs to investigate the agency and to ensure the Justice Department adheres to the law.

I reserve the balance of my time.
Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, but I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection. Mr. CULBERSON. Mr. Chairman, I agree very strongly with the gentleman in that the inspector general’s office does superb work. It is an independent agency whose oversight is crucial.

The amendment will certainly improve oversight and ensure that our constituents’ hard-earned tax dollars are well spent. I would urge Members to support the gentleman from Arizona’s amendment.

I yield back the balance of my time.

Mr. GOSAR. I thank the chairman and the ranking member for their support.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. BROWNLEY OF CALIFORNIA

Ms. BROWNLEY of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, line 6, after the dollar amount, insert “(increased by $2,500,000)”.

Page 46, line 12, after the dollar amount, insert “(increased by $2,500,000)”.

The Acting CHAIR. Pursuant to the request of the gentleman from California (Mr. GOSAR), I am not in opposition. I am in favor of the amendment.

I yield the balance of my time.

Mr. CULBERSON. Mr. Chairman, I reserve the balance of my time.

Mr. Chairman, I rise to offer an amendment to H.R. 2578, which would increase funding in Veterans Treatment Courts.

Our Nation’s heroes are returning home from over a decade of war in Iraq and Afghanistan with the invisible wounds that come with multiple deployments in military service to our Nation.

The signature wounds of these wars, post-traumatic stress disorder and traumatic brain injury, have led to a rise in both issues among our veterans. According to the National Center for PTSD, about 11 to 20 percent of veterans who served in Operation Iraqi Freedom and Enduring Freedom have PTSD in a given year. Since 2005, the number of veterans diagnosed with post-traumatic stress has doubled.

Too often, these mental health issues can severely impact a veteran’s life—from being able to keep a job, to drug abuse, to criminal activity in some circumstances. Instead of receiving the mental health services and support that they need, a growing number of veterans ends up being incarcerated in our justice system.

My simple amendment would increase funds for Veterans Treatment Courts by $2.5 million. Veterans Treatment Courts are designed to give veterans with mental health and substance abuse issues and who find themselves in trouble with the law an opportunity to get the help they need while avoiding jail time.

In my district, the Ventura County Veterans Treatment Court, which started as a pilot program in 2010, has helped dozens of veterans. Judge Colleen T. Walker, one of the program’s many champions in Ventura County, knows that the treatment courts reunite families and save lives.

Rather than arresting and jailing veterans for a few days or weeks and then putting them back on the streets with nothing changed in their lives, the Ventura County collaborative court connects veterans to needed treatment and services, which may include mental health care, drug and alcohol treatment, vocational rehabilitation, or other life skill services and programs.

The process begins with a guilty plea, an in-court meeting involving the veteran, his or her attorney, and a VA representative.

I was very impressed with the care that the court officers and volunteers extended to our veterans who found themselves before the court. A recent success for the Ventura County Veterans Treatment Court is a young man who was an Active Duty marine. Before leaving the service in 2014, he had completed three combat tours in 12 years. He was arrested for two DUIs within 3 weeks. After 5 months of treatment, he still stands with his back against the wall rather than taking a seat in court. It is a common sign in combat veterans, but he is now getting evaluated by VA, is going to treatment, and has hope once again.

Veterans Treatment Court program began in 2008 in Buffalo, New York, over 220 Veterans Treatment Courts have been established across the United States, and many more are being planned.

I believe we need to increase Federal resources to these critical programs nationwide, which is what my amendment seeks to accomplish. It is our obligation to ensure our veterans receive the appropriate attention to their needs and that we do whatever we can to help them transition to an independent civilian life.

I strongly urge my colleagues to support my amendment to provide veterans who are in trouble with the resources they need to help them secure a strong future.

Mr. Chairman, I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I rise in opposition even though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

MODIFICATION TO BROWNLEY OF CALIFORNIA AMENDMENT

Mr. FATTAH. Mr. Chairman, I ask unanimous consent that we modify the amendment and, rather than strike line 12 on page 46, strike line 7.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FATTAH. Mr. Chairman, I have visited the Intrepid Center over in Bethesda. We have been working with our veterans on post-traumatic stress. I know, in Houston, some of the best work in the Nation is being done at the University of Texas, at the Center for BrainHealth in Dallas, and your work in Houston.

I had my own experience with this. I had a young man, Bill Cooper, who on his last day in Iraq went out on patrol, and he was the victim of an IED. Some 59 operations later, he ended up working for me in my district offices.

1800

He is just doing a wonderful job helping other veterans in the Philadelphia area, but post-traumatic stress is a circumstance that far too many of our veterans have faced.

I want to thank my colleague from the Philadelphia, Pennsylvania, area, Congressman Pat MEEHAN, who has helped to lead this effort on veterans courts, and the chairman and I support it. I thank the gentlewoman for her amendment.

I am prepared to yield back the remainder of my time because, again, I am not in opposition. I am in favor of the amendment.

Mr. CULBERSON. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, I thank the gentleman for yielding and would join in supporting the gentlewoman’s amendment. The veterans courts do great work. I support the gentlewoman’s amendment and urge Members to support it.

Mr. FATTAH. Mr. Chairman, I should report to the House that Bill Cooper got married, just had a new son, and got his graduate degree on the GI bill that we passed. He is just another example of what can happen for our veterans when we take care of them.

I thank the gentleman from California, and I yield back the balance of my time.

Ms. BROWNLEY of California. Mr. Chairman, I appreciate very, very much the chairman accepting my amendment. I appreciate his support,
and I know veterans across the country will as well. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment, as modified, offered by the gentlewoman from California (Ms. Brownley) and a Member opposed each will control 5 minutes.

The Clerk reads as follows:

At the close of the proceedings of the House on Thursday, June 4, 2015, Mr. MACARTHUR moved to recommit the bill to the Committee on Appropriations with instructions, pursuant to the provisions of the amendment agreed to by the House on May 29, 2015.

The amendment was agreed to.

Mr. MACARTHUR. Mr. Chairman, I yield to the gentleman from New Jersey (Mr. FATTAH).

Mr. FATTAH. Mr. Chairman, I yield to thegentleman from New Jersey (Mr. CULBERSON).

Mr. CULBERSON. Mr. Chairman, I yield to thegentleman from Pennsylvania (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, I yield to thegentleman from Arizona (Mr. FLATTS).
risk, and encouraged more illegal immigration.

The committee raised similar concerns about the selective enforcement of these laws in the committee report stating: “The committee is concerned with the inconsistent enforcement of Federal criminal immigration laws and supports programs like Operation Streamline. The Attorney General is directed to submit a report to the committee . . . . The report shall describe steps the Department is taking to ensure that Federal criminal immigration law is enforced vigorously and consistently across the country to include prosecution guidelines and policies by district.”

My amendment is consistent with the concerns expressed by the committee and echo this message without harming the overall operation of the Department.

I thank the chair and ranking member for their leadership on this bill. I reserve the balance of my time.

Mr. GATTAH. I rise reluctantly in opposition to this amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. GATTAH. Mr. Chair, if the proposal would have been to put this money in the veterans courts or drug courts or youth mentoring, I probably wouldn’t be standing; but the idea of putting it into savings when we know that the allocation is already shy of what we needed and that many programs that we have had to give shorter grams that we have had to give shorter

Mr. GATTAH. I rise back the balance of my time as well.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR). The question was taken; and, the Acting Chair announced that the ayes appeared to have it.

Mr. FATTAL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings on the amendment further proceedings on the amendment by the gentleman from Arizona will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

Mr. GATTAH. Mr. Chairman, I rise reluctantly in opposition to this amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. GATTAH. Mr. Chair, I would like to express my support for the gentleman from Arizona (Mr. CULBERTSON), the chairman of the subcommittee.

Mr. CULBERTSON. Mr. Chair, I want to express my support for the gentleman’s amendment. I think he is exactly right. We need to send a very strong message to the administration that they must enforce the law as enacted by Congress. That has been the central theme I have tried to pursue as the new chairman of the Subcommittee on Commerce, Justice, Science, and Related Agencies. It is the foundation of all our liberty.

There is no liberty without law enforcement, and the Chief Executive has a duty under the Constitution to enforce the law as written by Congress and to faithfully execute that law. If any of the Federal agencies under the President’s jurisdiction want access to our constituents’ hard-earned tax dollars, they need to enforce the law as written by Congress.

I strongly support the gentleman’s amendment; and, frankly, putting it in the savings account is a good thing because, at a time when we are losing about the criminal immigr-- I support the gentleman’s amendment and would urge Members to vote ‘yes’ to send a message to the White House.

If the White House doesn’t get it, they will learn it throughout the year under the new chairman of the CJJS Subcommittee.

Mr. GOSAR. I thank the chair for his support, and I ask all my colleagues to vote for this bill.

Mr. FATTAL. I yield back the balance of my time.

Mr. GOSAR. I yield back the balance of my time as well.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings on the amendment further proceedings on the amendment by the gentleman from Arizona will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

An amendment by Mr. MCCLENTOCK of California.

An amendment by Ms. ESTY of Connecticut.

An amendment by Ms. LUJAN GRISHAM of New Mexico.

An amendment by Mr. GOSAR of Arizona.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. MCCLENTOCK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCCLENTOCK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignates the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 154, noes 263, not voting 15, as follows:

[H3697]

**AYES—154**


**NOES—263**


**Present**

Mr. KELLY of Pennsylvania, Ms. HAHN, Mr. COSTELLO of Pennsylvania, Mrs. NOEM, Messrs. KEATING, LEWIS, and CASTRO of Texas changed their vote from “aye” to “no.”

Ms. WITTMAN, BENISHEK, MULLIN, and Mrs. BROOKS of Indiana changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Connecticut (Ms. ESTY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

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The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Connecticut (Ms. ESTY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk redesignated the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Connecticut (Ms. ESTY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk redesignated the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. There is one remaining minute.

MESSRS. SEAN PATRICK MALONEY of New York, ASHFOOD, and SCHRADE changed their vote from “no” to “aye.”

MESSRS. ROHRABACHER and JORDAN changed their vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

MESSRS. MICHELLE LUJAN GRISHAM of New Mexico

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. A recorded vote has been demanded.

The Acting CHAIR. A vote was taken by electronic device, and there were—ayes 213, noes 214, not voting 5, as follows:

(Roll No. 271)
Mr. WALKER changed his vote from "yea" to "no".

Mr. MURDOCH changed his vote from "yea" to "no".

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. Gosar) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayeas 228, noes 198, not voting 6, as follows:
COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The SPEAKER pro tempore. Pursuant to House Resolution 287 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2578.

The Clerk read the title of the bill.

Accordingly, the House resolved itself into the Committee of the Whole on the state of the Union for further consideration of the bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes, with Mr. WESTMORELAND (Mr. WESTMORELAND) kindly resuming consideration of the bill, H.R. 2578.

The Acting CHAIR (during the vote).

The result of the vote was announced by the Acting CHAIR.

The Clerk read the title of the bill.

IN THE COMMITTEE OF THE WHOLE

So the amendment was agreed to.

The vote of the House was announced as above recorded.

PERSONAL EXPLANATION

Mr. VAN HOLLEN. Mr. Chair, on June 2, 2015, I was unavoidably detained and missed four votes. Had I been present, I would have voted “yea” on rollcall No. 270, “yea” on rollcall No. 271, “yea” on rollcall No. 272, and “no” on rollcall No. 273.

Mr. CULBERSON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. ELLMERS of North Carolina) having assumed the chair, Mr. WESTMORELAND, Acting Chair of the Committee of the Whole House on the state of the Union, reported that the Committee, having under consideration the bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes, had come to no decision thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2289, COMMODITY END-USER RELIEF ACT

Mr. NEWHOUSE, from the Committee on Rules, submitted a privileged report (Rept. No. 114-136) on the resolution (H. Res. 288) providing for consideration of the bill (H.R. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers and end-users manage risks, to help keep consumer costs low, and for other purposes, which was referred to the House Calendar and ordered to be printed.

COMMERCIAL, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The SPEAKER pro tempore. Pursuant to House Resolution 287 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2578.

The Gentleman from Georgia (Mr. WESTMORELAND) kindly resists the chair.

1900

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole on the state of the Union for further consideration of the bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes, with Mr. WESTMORELAND (Mr. WESTMORELAND) kindly resuming the chair.

1856

NOT VOTING—6

Adams
Glynn
Glover

Mr. VAN HOLLEN. Mr. Chair, on June 2, 2015, I was unavoidably detained and missed four votes. Had I been present, I would have voted “yea” on rollcall No. 270, “yea” on rollcall No. 271, “yea” on rollcall No. 272, and “no” on rollcall No. 273.

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The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from Arizona (Mr. GOSAR) had been disposed of, and the bill had been read through page 26, line 20.

The Clerk will read.

The Clerk read as follows:

In addition, for reimbursement of expenses of the Department of Justice associated with processing claims under the National Childhood Vaccine Injury Act of 1986, not to exceed $3,000,000, to be paid from proceeds of the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $126,246,000, to remain available until expended: Provided, That notwithstanding any other provision of law, fees collected for such purposes from persons other than the United States shall be retained and available for necessary expenses in this appropriation and shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 205 of this Act.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Community Relations Service, $13,000,000: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that additional funding for conflict resolution and violence prevention activities of the Community Relations Service is necessary, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under subsections (a) and (b) of section 205 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, $1,220,000,000, of which not to exceed $6,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $25,000,000 shall remain available until expended further: Provided further, That each United States Attorney shall establish or participate in a task force on human trafficking.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $225,908,000, to remain available until expended and to be derived from the United States Trustee System Fund: Provided, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, $162,000,000 of offsetting collections pursuant to section 589a(b) of title 28, United States Code, shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2016, so as to result in a final fiscal year 2016 appropriation from the Fund estimated at $63,908,000, to remain available until expended: Provided further, That amounts made available under this Act may not be transferred pursuant to section 205 of this Act.

SALARIES AND EXPENSES, FOREIGN CLAIMS RELATIONSHIPS (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Foreign Claims Settlement Commission, as authorized by section 3109 of title 5, United States Code, $2,326,000.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, $270,000,000, to remain available until expended, of which not to exceed $16,000,000 is for construction of buildings for protected witness safehouses; not to exceed $3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed $13,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and an automated information network to store and retrieve the identities and locations of protected witnesses: Provided, That amounts made available under this Act may not be transferred pursuant to section 205 of this Act.
for official reception and representation expenses, and not to exceed $15,000,000 shall remain available until expended.

**CONSTRUCTION**

For construction in space controlled, occupied or utilized by the United States Marshals Service or any other law enforcement agency, appropriated by section 4013(b) of title 18, United States Code, $3,161,181,000, to remain available until expended: Provided, That any unobligated balances available from funds appropriated under the heading "General Administration, salaries and expenses" shall be responsible for managing the Justice Prisoner and Alien Transportation System: Provided further, That any unobligated balances available from funds appropriated under the heading "General Administration, Detention Trustee" shall be transferred to and merged with the appropriation under this heading.

**NATIONAL SECURITY DIVISION**

**SALARIES AND EXPENSES**

*(INCLUDING TRANSFER OF FUNDS)*

For expenses necessary to carry out the activities of the National Security Division, $95,000,000, of which not to exceed $5,000,000 for information technology systems shall remain available until expended: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funds from funds appropriated under the heading "General Administration, salaries and expenses" shall be transferred to and merged with the appropriation under this heading.

**INTERAGENCY LAW ENFORCEMENT**

**INTEGRITY CRIME AND DRUG ENFORCEMENT**

For expenses necessary for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations, $19,500,000, to remain available until expended, $20,500,000, to remain available until expended: Provided, That any unobligated balances available from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

**FEDERAL BUREAU OF INVESTIGATION**

**SALARIES AND EXPENSES**

*(INCLUDING TRANSFER OF FUNDS)*

For expenses necessary to carry out the activities of the Federal Bureau of Investigation, $3,000,000,000, of which not to exceed $75,000,000 shall be considered "funds appropriated for State and local law enforcement assistance" pursuant to section 4013(b) of title 18, United States Code: Provided further, That the Acting CHAIR. The Clerk will report the amendment. The Clerk reads as follows: Page 52, line 5, after the dollar amount, insert "(increased by $25,000,000)". Page 72, line 7, after each of the dollar amounts, insert "(reduced by $25,000,000)".

The Acting CHAIR. Pursuant to House Resolution 267, the gentleman from North Carolina, Mr. Pittenger, and a Member opposed each will control 5 minutes. The Acting CHAIR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the committee, over the time that I have been on the committee, each and every year has increased its appropriations to the FBI, and this year is no exception. The chairman, in his wisdom, working with a very tough allocation, has provided $58.5 billion—to be exact, $58.489 billion, which is a $111 million increase.

I think that the gentleman, if his concern is about using adequate funding for the Bureau, can rest assured that the committee has taken every— they have taken that responsibility very seriously.

If his concern or effort is to suggest that somehow pro bono lawyers are going to make up for the difference for a cut at Legal Services, in a big city like Philadelphia, it may be so that we have law firms who can have pro bono partners who can spend their time helping people who are not going to be able to pay for it. I don't believe it is that simple, but it is fair, it is fiscally responsible, it is simple, it is fair, it is fiscally responsible, and it strenghtens our national security. My amendment reduces Federal spending for Legal Services Corporation by $25 million while leaving the program substantially intact. That money is then used to increase funds for the FBI in their critical counterterrorism efforts.

The underlying bill appropriates $300 million for the LSC, but Congress has not authorized the LSC since 1980. Mr. Chairman, 35 years is much too long to leave a Federal program on autopilot. Even the nonpartisan CBO has recognized defunding the LSC is a way to pay for other commitments. In fact, it is noting that programs receiving LSC grants already receive funding from States, localities, and private entities, as well as from private attorneys involved in pro bono work.

Community problems are best solved at the community level, not through the Federal bureaucracy. This amendment, however, does not suddenly end LSC and its programs. It simply reduces funding in a responsible and modest way and applies that money toward critical national security efforts. This amendment prioritizes the spending of taxpayer money on our current needs.

Earlier this year, FBI Director James Comey said he has "homegrown violent extremist investigations in every single State." Just last month, the Department of Homeland Security Secretary, Secretary Johnson, said: "We're very definitely in a new environment. We have no idea how different this country is going to be. Money is going to be spent, and we need to react, to adjust, to change, to be able to be flexible in the way we do our work." He also noted that this is a country of laws. People have to have access to the courts, and they need representation.

So I think there is already a justice gap, that is the percentage of people eligible to the numbers who are actually able to be helped, and I think this would be unwise. I hope and I believe that this House will not support this amendment because it would be taking from people who need it the most when there is absolutely no need, not even a little need, let alone a need for it.

Mr. Chairman, I now yield 2 minutes to the gentleman from Tennessee, Congressman COHEN, my colleague who represents the city of Memphis.

Mr. COHEN. Mr. Chairman, I thank Mr. FATTAH. I join with him in opposing this as it is about using adequate funding for Legal Services because of a lack of funding. In my district in Memphis,
they have lost $300,000, and the staff has been reduced from 50 to 38.

Mr. Chairman, when we travel overseas, one of the things that almost every individual you meet up with tells us about America is, We envy your justice system. They envy our justice system. They have access to the courts to settle our differences.

But if you are poor and/or uneducated and you don’t have a lawyer, you don’t have access, really, to the legal system; the other side will. If you are a domestic violence victim and you need an attorney and you don’t have one, you are subject to further domestic violence. If you are a tenant in an apartment building and you are being run out, the apartment people are going to have attorneys and you won’t, and you will be on the street.

So we are talking about victims, domestic victims. We are talking about people being homeless. We are talking about individuals, American citizens, who don’t have access to the courts, the envy of people around the world when they look at America, and we will be taking it away from them.

I would ask the gentleman to find money for the FBI from somewhere else. I would not ask about the Pentagon. But to take it away from an area that gives poor people of America justice—even though it does give money to the FBI to find criminals and hopefully bring justice to them on the criminal side, I do not think this is the right place to take the money.

Mr. FATTIH. Mr. Chairman, I agree with the spirit.

Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Mr. Chairman, I am grateful for the time of both my colleagues. I want to recognize the extraordinary commitment that my colleague, Mr. PITTENGER, has made to counternarcotics and trying to protect the safety and security of the United States.

I will say, though, Mr. Chairman, I did work as a legal aid attorney, a legal aid volunteer many years ago when I was a law student. We spent countless hours trying to keep a roof over the head of tenants who were being kicked out of their home through no fault of their own because a landlord wasn’t paying a mortgage. Now, you may say to yourself this is not quite right because they did nothing wrong but couldn’t avail themselves of an attorney.

To try to find, now, ways to gut that funding when, with low interest rates—one of the key methods of funding for Legal Services across this country is from interest on lawyer’s trust accounts. Because of low interest rates, that funding has been basically non-existent. In Massachusetts, that went from about $34 million a year down to $4 million a year—this is from interest on lawyer’s trust accounts. Because of low interest rates, that funding has been basically non-existent.

In Massachusetts, that went from about $34 million a year down to $4 million a year—this is from interest on lawyer’s trust accounts. Because of low interest rates, that funding has been basically non-existent.

We are getting a very basic tenet of what this country is all about. We spend so much time in these Chambers, Mr. Chairman, talking about how these laws are shaped to touch people’s lives and very little time speaking about the enforcement and protections that they provide. Mr. Chairman, this is that moment, and I ask my colleagues to vote “no” on the amendment.

Mr. FATTIH. Mr. Chairman, I yield back the balance of my time.

Mr. PITTENGER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I acknowledge the wonderful work of Mr. KENNEDY and what he has done with Legal Services. I would say that Legal Services, frankly, has had a long and troubled history of using taxpayer money for political purposes.

An LSC-affiliated agency once used Federal tax dollars to produce pamphlets and political cartoons for political advocacy purposes. Tax dollars were also used to train activists on how to lobby Congress for additional funding. The LSC is marked by misuse of taxpayer money and redundancy, as many of these programs are offered, as well, by the States.

So I don’t question that there is good work that is being done, but at the same time, I think it is prudent and logical that we look and see how this money is not being used wisely and, frankly, been inappropriately used.

So, Mr. Chairman, this is a very, very modest cut in this agency. I commend this amendment to the House and ask for their support, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. PITTENGER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. COHEN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

The Clerk will read.

The Clerk read as follows:

CONSTRUCTION

For necessary expenses, to include the cost of equipment, furniture, and information technology requirements, related to construction or acquisition of buildings, facilities and sites by purchase, or as otherwise authorized by law, modification and extension of Federally-owned buildings; preliminary planning and design of projects; and operation and maintenance of secure work environment facilities and secure networking capabilities; $57,982,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses of conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, $2,073,945,000; of which not to exceed $75,300,000 shall remain available until expended and not to exceed $90,000 shall be available for official reception and representation expenses.

AMENDMENT OFFERED BY MR. COHEN

Mr. COHEN. Mr. Chairman, I have an amendment at the desk concerning rape kits.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 33, line 5, after the first dollar amount, insert “(reduced by $4,000,000)”.

Page 49, line 9, after the dollar amount, insert “(increased by $4,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. Mr. Chairman, I yield myself such time as I may consume.

This amendment would increase by $4 million the bill’s funding for grants to address the backlog of sexual assault kits at law enforcement agencies.

DNA analysis has proven invaluable in helping to catch criminals and prevent crimes from occurring because of DNA evidence. This evidence does us no good if it remains untested and sitting on a shelf in a lab somewhere.

The progress we have made in the last few years, and much progress most recently, there are still thousands of rape kits that remain untested—potentially hundreds of thousands. That is potentially hundreds of thousands of victims whose assailants are never brought to justice left to prey on yet more women.

Last year, my hometown paper, the Memphis Commercial Appeal, highlighted the tragic need to end this backlog once and for all. It described a serial rapist who was finally caught by police in 2012. He could have been stopped nearly a decade earlier if only his first victim’s rape kit had been tested, but that kit wasn’t, and, instead, he was able to attack five more women over the next 8 years.

Missed opportunities like this happen all across our country every day. The trauma inflicted on victims of rape can be compounded when they know that their assailants run free while critical evidence goes untested.

Fortunately, efforts are underway to reduce the backlog, and they are making a difference. In Memphis, our backlog reached more than 12,000, but police have now opened 488 investigations and issued 90 requests for indictment.

But testing rape kits costs money, more than local law enforcement can afford. I appreciate the chairman’s and the ranking member’s commitment to eliminating the backlog and the funding that the committee has provided in this bill, but we need more.

This amendment would increase by not quite 10 percent, an additional $4 million, and would take it from the
Drug Enforcement Administration, a $2 billion agency that receives a $10 million increase in this bill. DEA would barely notice the difference.

Moreover, DEA has been alarmingly irresponsible with money Congress has given it. An inspector general report recently found that DEA agents had “sex parties” with prostitutes funded by drug cartels in government-leased living quarters. And this followed an inspector general report that found the DEA paid hundreds of thousands of dollars for information from Amtrak that they could have obtained for free.

I think the choice is clear: we should stand with victims of sexual assault.

I urge my colleagues to pass this amendment. It is so important that these kits are tested, that the assailants are brought to justice, and that additional women are not attacked by what are known to be serial rapists who are out on the streets.

I would like to say a thank you to my partner on this amendment, Representative CAROLYN MALONEY, who has been a tireless advocate on this issue as well.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, although I am not opposed to the gentleman’s amendment.

The Acting CHAIR (Mr. WESTMORELAND). Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. Mr. Chairman, I believe the gentleman is exactly right. We, in the bill, have increased funding to reduce the rape kit backlog. This is a vitally important tool that local police departments are using to get these people off the streets as quickly as possible.

I accept the gentleman’s amendment.

There is no punishment severe enough nor swift enough for these people. I think it is very, very important that we get these rape kits handled as quickly as possible, so I urge Members to support the gentleman’s amendment.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, we made some significant progress, but more needs to be done. I want to thank the gentleman for his amendment. The committee has made this a very high priority. I thank the chairman for his leadership in this regard. We are all in concurrence here.

Mr. COHEN. Mr. Chairman, I just want to thank the chairman, particularly, and the ranking member as well, for their help and their hard work on getting the money passed and for helping on this amendment.

These rapists don’t know State lines, and they cross State lines, so it is most appropriate that the Federal Government help the locals in finding people that perform these dastardly acts all over our country.

With that, I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The Clerk will report the amendment.

The Acting CHAIR. The Clerk will report the amendment. The Clerk read as follows:

Page 33, line 5, after the first dollar amount, insert “(reduced by $9,000,000)”.
Page 38, line 9, after the dollar amount insert “(increased by $1,000,000)”.
Page 38, line 24, after the dollar amount insert “(increased by $1,000,000)”.
Page 47, line 8, after the dollar amount insert “(increased by $7,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 267, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. TED LIEU of California. Mr. Chairman, this amendment takes $9 million out of the DEA’s $2 billion salaries and expense budget and redirects it toward deficit reduction, as well as underfunded State and local programs to help children who suffer through child abuse, domestic abuse, and sexual assault.

This amendment has been scored by the CBO as reducing budget authority by $2 million and reducing outlays by $6 million in fiscal year 2016.

In the face of overwhelming support for loosening restrictions on marijuana, the DEA still spends over $18 million a year on domestic marijuana eradication programs. This simply takes some of that money away because some states have legalized marijuana and with a cell phone camera is a social documentarian of the things going on around us.

The second thing that changed is the advent of social media, which allowed people not only to document their experiences, but also to widely distribute what they have documented to this country and to the world. Because of that, we have gotten a better indication of the interaction between law enforcement and members of our community.

In this digital age, we have a responsibility to seek and to know the truth about those encounters. Local police departments, many of them—in fact, 25 percent of the 17,000 police agencies in this country—are already using body cameras. Many more in States all over our Nation are seeking the funds to do this.

The President of the United States asked for $50 million to allow local grants and moneys for local agencies to afford these body cameras and for the storage to make sure that they can keep that evidence.

I urge my colleagues to pass this bill.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TED LIEU).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CASTRO OF TEXAS

Mr. CASTRO of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 31, line 5, after the first dollar amount, insert “(increased by $10,000,000)”.

Page 38, line 24, after the dollar amount insert “(increased by $10,000,000)”.

Page 47, line 8, after the dollar amount insert “(increased by $10,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 267, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CASTRO of Texas. Mr. Chairman, first, I would like to thank the chairman and the ranking member for their hard work on this bill.

My amendment would add $10 million to the Community Trust Initiative account for police body-worn cameras, and would take those $10 million from the DEA account for salaries and expenses.

Over the last several months, we have seen more and more encounters between members of our communities and law enforcement that have been too powerful to ignore. We have seen in those recordings instances of police abuse. We have seen instances where police were justified in the use of force. We have even seen instances where police went above and beyond doing their job.

Mr. Chairman, over the last two decades or so, something changed—two things, in fact.

First, we developed a technology so that basically each of us who walks and interacts with a cell phone has a social documentarian of the things going on around us.

The second thing that changed is the advent of social media, which allowed people not only to document their experiences, but also to widely distribute what they have documented to this country and to the world. Because of that, we have gotten a better indication of the interaction between law enforcement and members of our community.

In this digital age, we have a responsibility to seek and to know the truth about those encounters. Local police departments, many of them—in fact, 25 percent of the 17,000 police agencies in this country—are already using body cameras. Many more in States all over our Nation are seeking the funds to do this.

The President of the United States asked for $50 million to allow local grants and moneys for local agencies to afford these body cameras and for the storage to make sure that they can keep that evidence.

I urge my colleagues to pass this bill.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I yield back the balance of my time.
As you all know, this is a very expen-
vise thing, and many departments have
struggled with the funds to afford these
things. So in the budget that has been
proposed, the amount proposed is not
$50 million, but $15 million. This $10
million would simply bring us back up
to half what the President has re-
quested at $25 million.
I will also add that this is very pop-
ular among the American people: 86
percent of Americans—Republicans and
Democrats, people of every race and
ethnicity—every community across the
country support increased use of
body cameras for officers. Even the as-
sociation of police chiefs in our coun-
try supports this also.
Mr. Chairman, I reserve the balance
of my time.
Mr. CULBERSON. Mr. Chairman, I
claim the time in opposition, although
I am not opposed to it.
The Acting CHAIR. Without objec-
tion, the gentleman from Texas is rec-
ognized for 5 minutes.
There was no objection.
Mr. CULBERSON. Mr. Chairman, I
would encourage Members to support it.
The gentleman has a good amend-
ment. I think the Community Trust
Initiative program that we have cre-
ated in the bill will rebuild that bond of
trust between police officers and their
community by making sure that these
body cameras are available. My good
friend from Texas—Texas was the first
county in our State to pass a State
law that says when, where, and how
this data from the body cameras can be
used. State Senator Royce West from
Dallas passed that legislation. I had a
day on the amendment offered by the gen-
tleman from Texas (Mr. CASTRO).
The amendment was agreed to.

AMENDMENT OFFERED BY MR. COHEN

Mr. COHEN. Mr. Chairman, I have an
amendment.
The Acting CHAIR. The Clerk will
report the amendment.
The Clerk reads as follows:
Page 33, line 5, after the first dollar
amount insert ``(reduced by $12,000,000)''.
Page 72, line 7, after the first dollar
amount insert ``(increased by $10,000,000)''

The Acting CHAIR. Without objec-
tion, the gentleman from Texas is rec-
ognized for 5 minutes.
Mr. COHEN. Mr. Chairman, I yield
myself such time as I may consume.
We just had an amendment on the
floor and the amendment took $25 mil-
lion out of the $75 million. There were seven
amendments to file, and they went from
$5 million for legal services up to $35 million.
So what I thought might be the equi-
table thing to do would be, instead of going with the $35 million, which would just have been half of the cut, to then say that Mr.
PITTENGER wanted to take away from
them, take it away from the amend-
ment that would have been best, the $35 million increase, and go for a $10
million increase, which would, in es-
sence, be Mr. PITTENGER's amendment
against the amendment which would be
a best practices that I would have rec-
ommended increasing $35 million.

1930

This amendment would restore $10
million to the devastating cuts to
Legal Services. Legal Services in 1995
was funded at $400 million. Just on in-
flationary dollars, today, that $400 mil-
ion would be $600 million; yet, in this
budget, Legal Services would be funded
at $300 million, half of what it would be
based on 1995 figures adjusted for infla-
tion.

We are proud of our legal system, and
we are known for it all around the
globe, but it can be complex. With all
of the problems we have with the legal
language, let alone just languages that
we have in this Nation, it is too dif-
cult for people to represent them-
selves in courts.

There is a saying: "He who represents
himself as a lawyer has a fool for a cli-
ent." People need professional legal aid
to get through the maze of the justice
system. If you are poor in this coun-
try—and most people are—if you are
tried, you are—and scared. When you go
to court, you are not going to be able to successfully work
against a private attorney on the other
side. It just takes away from the whole
idea of equal justice under the law.
I talked earlier about domestic vio-
ence. There are ladies—and sometimes
men—who need protective orders from
abusive partners or seniors who have
been victimized by fraudulent lenders
as well. Legal assistance is vital to en-
suring that these parties are treated
fairly and are aware of their rights.
That is why I am a champion of the
Legal Services Corporation, which
helps fund legal aid programs through-
out the country.
This bill, as I say, cuts $75 million,
which would make many people in the
Nation not have representation and un-
able to pursue justice. Nearly 50 per-
cent of all eligible potential clients are
turned away from legal services na-
tionally, and it has hurt people all over
this country.
The attorneys do heroic work, and
there are serious consequences for re-
ducing the funding to these folks. Un-
less we ensure legal assistance, we ef-
fectively shut the courthouse doors to
many who won't be able to protect
their rights.

The decrease would come from the
DEA. Again, the DEA has had numer-
ous, numerous problems with agents
who have gone rogue and have done
things that you shouldn't do anywhere,
least of all when you are a DEA agent
representing our country. The funding
in the hands of Legal Services could
change the lives of thousands of people
who need legal representation.
This amendment is $25 million less
than what I would have gotten with the
$35 million amendment, but I will take that.
If we can get the 35, hopefully, Mr.
PITTENGER will be happy with the 25 cut from the
35 that we should have gotten, in my
opinion, on top to restore the 75 that
we have lost.
Representatives QUIGLEY, CASTOR,
SCHRADER, and JOE KENNEDY have all
helped on this.
Mr. Chairman, I yield such time as he
may consume to the gentleman from
Massachusetts (Mr. KENNEDY).
Mr. KENNEDY. Mr. Chairman, once
again, I rise in support of the Legal
Services Corporation.
This is an organization that is the
major source of funding for legal aid
offices all across this country. The
funding, as my colleague indicated, has
not kept pace with need, inflation, or
recent increases.
The fact of the matter is, Mr. Chair-
man—and I have seen as a legal aid vol-
unteer in the courtrooms and then
again as a prosecutor the impact of ade-
quate legal representation. I spent
hours and hours, along with other vol-
unteers, trying to ensure that citizens
of this country who, through no fault
of their own, are being victimized by
large interests or by folks who did
know how to navigate the legal system
could have adequate representation in
the courtrooms.
Mr. Chairman, inside these halls, we
debate with great vigor and great de-
tail the nuances to every single piece
of legislation, yet spend far too little time discussing the impact of how that is going to be enforced after it becomes law. That is what the Legal Services Corporation does.

The fact is, in many ways, another source of funding for Legal Services is through the interest on lawyers’ trusts accounts, IOLTA funding. With low interest rates over the course of past several years, that funding has been devastated.

In Massachusetts alone, that used to be about $34 million a year through a separate fund that has been reduced to $4 million. The fact of the matter is, Mr. Chairman, that Legal Services has already been decimated at a time when more and more people need to understand that they have access to a fair and just legal system. That is what this amendment seeks to do.

That is why I am proud to support it, and I ask my colleagues to do the same.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, the Drug Enforcement Agency did not have enough money for, and we did not have enough money for, the DEA to do so immediately. However, I think the taking of additional money from the DEA is a bad idea, and I do encourage my colleagues to oppose the amendment. I will also point out that we have an initial $43 million in this bill for violence against women programs, specifically for legal assistance for domestic violence victims.

I do urge my colleagues to vote ‘no’ on this amendment in order to protect the vital role that the DEA plays in the war on drugs.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, let me be clear. This does not cut the DEA. It only reduces the amount of money it was increased by in the budget, and it was increased by something like $40 million in a $2 billion budget. It would take $10 million, which would make a big difference to Legal Services.

Once the Rohrabacher-Cohen-Farr amendment passes, they won’t be messing with States that have legalized medical marijuana, and it will give the DEA a lot more time to do the right things they need to do in northern Mexico and in other failed states; and as for the states that haven’t failed, stay out of them.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I yield to the gentleman from Philadelphia, Pennsylvania (Mr. FATTAH) for any comments he may have.

Mr. FATTAH. I thank the chairman. Mr. Chairman, I don’t want anyone to be confused here. On the floor, the chairman from the subcommittee and from the full committee has said—and I have said it—that we realize that the Legal Services Corporation and the shortfall needed. I believe, before we pass a final bill, it will be addressed. There is no possibility that I am going to support a bill that has got $300 million funding for Legal Services Corporation.

There is this notion of a $10 million increase on top of a $25 million cut. I don’t want these votes to be viewed as some kind of ceiling for Legal Services, and I think we ought to be careful here to make sure that the House is working through this, that we understand that the amount that the bill is at now is unacceptable. It has already been cut. Taking that cut and adding $10 million back to it is not a satisfactory response, notwithstanding the intentions of our colleagues.

We want to address the bigger issue, which is the full funding for Legal Services. As we go forward in this effort, I want to make my intentions clear that we have got to be clear that we live up to our commitment and our responsibilities in terms of fully funding Legal Services.

Mr. CULBERSON. Mr. Chairman, I want to assure my friend from Philadelphia, as we get down to conference, that we have got priorities in the bill that we did not have enough money for, and we will work hard with you to try to find resources, but let’s not take it from the DEA.

I would urge Members to vote against this amendment.

Mr. Chairman, I yield back the balance of my time.
Mr. GOSAR. Mr. Chairman, I rise today to offer another amendment to this bill, along with my colleague from Arkansas (Mr. HILL), that seeks to bolster another important program.

First, I reiterate my thanks to the committee for the long hours they have dedicated to prioritizing limited resources in order to produce this bill, but I simply believe the House should not reward bad behavior for that type of drug abuse. Recently, my amendment is simple, and it is nearly identical to an amendment I offered last year, which was adopted by voice vote.

The amendment shifts $5 million from the overreaching Bureau of Alcohol, Tobacco, Firearms, and Explosives by $5 million. I offered a very similar amendment last year, which was adopted by voice vote.

The Senate’s salaries and expenses are slated to receive an increase of $5 million from fiscal year 2015 enacted levels, which would bring the total appropriation to $1.25 billion. My amendment redirects funds from bureaucrats in the mismanaged and overzealous ATF to a worthy treatment program for our Nation’s veterans.

I urge my colleagues on both sides of the aisle to once again show their support for the PDMP program by passing my commonsense amendment.

I thank the chairman and the ranking member for their leadership on this bill.

Mr. Chairman, I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Acting CHAIR. The Acting CHAIR.

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important amendment. I want to thank him for his leadership.

Prescription drug abuse has become an epidemic in my home State of Arkansas and throughout our country. I am so grateful for people like Chief Kirk Lane of Benton, Arkansas, who leads on this issue throughout my district.

Tonight I speak from the well of our beloved House first as a dad, and a Congressman second. I have had personal experiences with the tragic loss of life that come as a result of prescription drug abuse, and many times our children and our loved ones are the ones who are so closely affected and impacted.

My daughter is 18 years old, and she already knows four people in her age group who have lost their lives due to the influence of prescription drugs and the related impacts. That is tragic.

I am proud that Arkansas recently passed legislation that gives law enforcement investigators access to our State’s Prescription Drug Monitoring Program. This law in my State will enhance investigative capabilities and will give law enforcement investigators better ability to bring criminals to justice with respect to prescription drug practices and trying to drug those drugs back on the street.

This is a serious problem that deserves more of our attention, first at our dinner tables, in our schools, and in our capital buildings. I am so proud to support Mr. Gosar’s amendment that cuts money from the overhead at the ATF and will strengthen these prescription drug monitoring activities.

I thank the gentleman from Arizona. Mr. Gosar. I thank the gentleman from Arkansas for his kind words in support.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. Gosar).

The amendment was agreed to.

Mr. CULBERSON. Mr. Chairman, I move to strike the last word and enter into a colloquy.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I yield to the gentleman from Iowa (Mr. Blum).

Mr. BLUM. Mr. Chairman, as a small-business man and a supporter of the private sector, I am so proud to support the committee for the inclusion of report language which states: ‘The committee encourages NOAA to purchase services from the private sector when such services are available, cost effective, and practicable.’

As my friend from Texas knows, NOAA operates a fleet of survey ships for nautical charting as well as a fleet of survey aircraft for aerial photography and LIDAR for mapping. However, the inspector general of the Department of Commerce has long recommended that the aircraft fleet be privatized, as aerial survey operations are better, faster, and less expensive when purchased from the private sector. In fact, the inspector general found NOAA survey operations cost 42 percent more than the private sector, which was then confirmed by a second NOAA-commissioned study.

Rather than waste these cost savings and productivity improvement requirements, NOAA has continually acquired new planes, new aerial sensors, and new ships. This is not only poor stewardship of taxpayer money and inefficient use of resources, but results in the ATF spending time and dollars directly competing with private enterprise. There are numerous companies, including small businesses, ready and able to perform these services for NOAA at a reduced cost and increased quality.

I have visited one such private sector mapping firm in my district and heard firsthand about how government agencies are engaged in this behavior, which hinders private economic growth and job creation.

My question for the gentleman from Texas is: Regarding the language I quoted earlier, is it the intent of the committee to include contracting for such surveying and mapping services from a qualified, capable, and cost-effective solution available in the private sector?

Mr. CULBERSON. I want to thank my colleague from Iowa for raising this important point, and the committee for including contract for NOAA to utilize the private sector for these services when they are available and cost effective and practicable. I deeply appreciate my friend’s interest and look forward to continuing to work with him on these issues to ensure they are taken care of as we move through the process.

Mr. BLUM. I thank my friend from Texas and appreciate his hard work on this important legislation.

Mr. CULBERSON. I yield back the balance of my time.

AMENDMENT OFFERED BY MR. BYRNE

Mr. BYRNE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will read the following amendment.

The Clerk reads as follows:

Page 33, line 19, after the dollar amount, insert “(reduced by $250,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Alabama and a Member opposed each with control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, my straightforward amendment would cut the Bureau of Alcohol, Tobacco, Firearms and Explosives, or ATF, by 20 percent. This would result in $250 million worth of savings.

Let me make one thing clear. I know that the ATF has an important mission to play in keeping our Nation safe and regulating everything from firearms to alcohol. That said, in the last few years, we have seen an outrageous growth in operations and regulations coming out of the ATF.

How could we forget the Fast and Furious gun trafficking scheme that was allowed to go so far out of track that 2,000 guns were allowed to flow to Mexican drug trafficking groups? Worst of all, a Federal law enforcement officer was killed with a gun from that operation. The ATF even undertook an undercover operation in Milwaukee, Wisconsin, went horribly wrong. Convicted felons were given access to weapons, the fake storefront was burglarized, and $39,000 in merchandise was stolen. The ATF even undertook undercover operations with developmental disabilities in the operation and ultimately arrested him for his involvement.

From Wichita, Kansas, to Portland, Oregon, to Atlanta, Georgia, the stories of botched operations and inappropriate action just goes on and on.

Then there was the ATF’s recent attempt to reclassify common M855 ammunition as armor piercing, despite its exemption from this classification since 1986 for sporting purposes. Thankfully, this proposal was dropped after pressure from Congress.

Mr. Chairman, the people I represent in southwest Alabama are tired of a Federal Government that doesn’t live by the rule of law, that doesn’t reward good behavior. In fact, the inspector general found that ATF is now under new leadership, and I hope that the new leaders get serious about making cuts to the Federal bureaucracy. My constituents also are tired of executive overreach and the Federal Government involving itself in areas where it simply doesn’t belong.

I know that the committee and Chairman CULBERSON have made real efforts to rein in the ATF, and I appreciate those efforts. I also understand that ATF is now under new leadership, and I hope that the new leaders get serious about much-needed reforms.

I am all for safety and responsible gun ownership, and the ATF does have a role to play in that, but this amendment would simply require the ATF to return to its core functions and responsibilities. It would cause ATF to look at itself in the mirror, find areas where they can cut back, and refocus on their true priorities.

Ultimately, this amendment is about protecting our Second Amendment rights while also pushing for real reforms to Federal spending. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I do understand the gentleman’s concern. My constituents and all of us were upset with the ATF’s attempt to ban .223 ammunition, but they did the right thing: they withdrew the ammo ban after I had a heart-to-heart with them. By doing the right thing, I think we should reward good behavior and continue to monitor that very closely.

We have spending plan language in our bill that allows the subcommittee to have ongoing oversight over not only...
Mr. CULBERSON. Reclaiming my time, I join my colleague in urging a “no” vote on this amendment, and will, again, work with my colleague in making sure the ATF continues to protect the Second Amendment rights of Americans.

There is no greater power the Congress has than the power of the purse. I assure you as the new chairman that I am monitoring very, very closely to make sure that ATF, FBI, and the Department of Justice enforce the law and preserve our Second Amendment Rights.

Therefore, I urge Members to vote “no”, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BYRNE).

The amendment was rejected.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

AMENDMENT OFFERED BY MR. BUCK

Mr. BUCK. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will read the amendment.

The Clerk read as follows:

Page 33, line 25, strike “none of the” and insert “such”.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Colorado and a Member opposed each will control 5 minutes.

Mr. BUCK. Mr. Chair, I rise to strike language from this appropriations bill that denies hope, denies dignity, and denies Americans their Second Amendment right to bear arms.

When I was district attorney in northern Colorado, a gentleman visited my office. He told me a story that I have heard from many, many others. When I met him 40 years ago, when he was in college, he gave his landlord a bad check. He pleaded guilty to a felony.

The past 40 years, he has been a model citizen. He finished college. He worked hard and raised a family. Now he wants to go hunting with his grandchild. He can’t because he is a convicted felon.

The law allows the Bureau of Alcohol, Tobacco, Firearms and Explosives to restore this man’s right to possess a firearm. The applicant to prove that he is not a danger. ATF may investigate to make sure. This appropriations bill prohibits ATF from processing applications, from following the law established by Congress 30 years ago.

America is a compassionate country. We restore the right to vote in many States, and other rights. There is no good reason to prevent law-abiding citizens from, at the very least, petitioning ATF to have their rights restored.

The change I am seeking is fair and reasonable, and it is long overdue. People who are able to prove to ATF that their possession of a firearm would pose no danger to society would finally, after over two decades of unfair treatment, be permitted to make their case and have their rights restored.

Not everyone who petitioned ATF will have their rights restored. In fact, this bill does not intend in any way, shape, or form to allow a violent criminal to possess a firearm—only those non-violent criminals that ATF deems are not a danger. Not everyone will have their rights restored, but Washington should not get in the way of Americans asking for a second chance.

For these reasons, I respectfully request support for this amendment, and I yield back the balance of my time.

Mr. BUCK. Mr. Chair, I rise to strike language from this appropriations bill that denies hope, denies dignity, and denies Americans their Second Amendment right to bear arms.

When I was district attorney in northern Colorado, a gentleman visited my office. He told me a story that I have heard from many, many others. When I met him 40 years ago, when he was in college, he gave his landlord a bad check. He pleaded guilty to a felony.

The past 40 years, he has been a model citizen. He finished college. He worked hard and raised a family. Now he wants to go hunting with his grandchild. He can’t because he is a convicted felon.

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For these reasons, I respectfully request support for this amendment, and I yield back the balance of my time.
Mr. Chair, indulge me for a moment. Perhaps this tragedy could have been prevented if Mr. Hamilton had been treated on the scene, discerning that Mr. Hamilton had no threat to himself, nor to anyone in the park or the public. Officer Manney pulled out his baton to cause this gentleman to be sleeping on the public park bench. Another police officer, Officer Manney of the Milwaukee Police Department, arrived and started to pull down Dontre. This put down turned into a struggle, and Officer Manney pulled out his baton to help him subdue Mr. Hamilton.

The struggle escalated, and Dontre got control of the baton and swung it at Officer Manney. This caused Officer Manney to draw his firearm and shoot 14 bullets into Dontre Hamilton.

Officer Manney was terminated for conducting a pat-down in contravention of his training on dealing with mentally ill individuals but faced no charges in the death of Dontre Hamilton.

Mr. Chair, perhaps this tragedy could have been prevented. Too often, our mental health infrastructure is woefully inadequate for many Americans. A lack of treatment can turn a treatable mental illness into a severe debilitating condition. Many can't hold a job or pay rent. Many end up homeless on the streets. In fact, more than 124,000 of the 610,000 homeless people in the United States suffer from a severe mental illness.

As a result of many failures in our system, our Nation's police officers have de facto become our country's first responders to mental health crises, including those individuals experiencing mental illness. Too often these calls, many intended to be out of concern for the individual in crisis, become a tragic fatality.

As we know, mentally ill persons are not generally dangerous, Mr. Chair. In fact, they are actually more likely to become victims themselves than actual perpetrators of violence. Many of these tragic encounters could be prevented if police officers are trained and follow proper procedures.

The Mentally Ill Offender Treatment and Crime Reduction Act is an important Federal initiative and tool that will help us bridge this gap. This law established a grant program called the Justice and Mental Health Collaboration Program which helps States and localities develop collaborative approaches to dealing with the intersections of criminal justice and mental health systems.

One of the authorized grant uses under the program is training to police officers for exactly these purposes: to safely respond to crisis calls and limit the chance of a tragic and often preventable co-occurring consequence.

I yield back the balance of my time. Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, but I am not opposed to the amendment.

The Acting CHAIR (Mr. WOODALL). Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection. Mr. CULBERSON. The gentlewoman has a good amendment, and I want to encourage Members to support it.

I yield back the balance of my time. The Acting CHAIR. Pursuant to the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE), the amendment was agreed to.

AMENDMENT OFFERED BY MR. CONNOLLY

Mr. CONNOLLY. Mrs. Moore, Mr. Chairman, I have an amendment at the desk.

Mr. Chairman, perhaps this tragedy could have been prevented. Too often, our mental health infrastructure is woefully inadequate for many Americans. A lack of treatment can turn a treatable mental illness into a severe debilitating condition. Many can't hold a job or pay rent. Many end up homeless on the streets. In fact, more than 124,000 of the 610,000 homeless people in the United States suffer from a severe mental illness.

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I yield back the balance of my time. Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, but I am not opposed to the amendment.

The Acting CHAIR (Mr. WOODALL). Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection. Mr. CULBERSON. The gentlewoman has a good amendment, and I want to encourage Members to support it.

I yield back the balance of my time. The Acting CHAIR. Pursuant to House Resolution 267, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Chairman, I thank the distinguished chairman and the distinguished ranking member and their staffs for their cooperation on this amendment.

The amendment increases the funding for Veterans Treatment Courts by $1 million. I offered a similar amendment last year that the House also adopted on a voice vote.

With the additional funds provided by this amendment, a total of $8 million could be awarded to veterans courts, which is still short of the $8 million Congress has authorized under the bipartisan Mentally Ill Offender Treatment and Crime Reduction Act.

Our Nation's heroes are returning from war and often living a path of war. Upon their return, they bear the visible and invisible wounds of deployment. Substance abuse, post-traumatic stress disorder, traumatic brain injury, and various mental health disorders can lead our returning heroes down a difficult and often lonely path during their transition to civilian life.

Twenty percent of Iraq and Afghanistan war veterans suffer from post-
traumatic stress disorder or major depression. One in six battle with substance abuse. Left undiagnosed or untreated, these illnesses can result in an encounter with the justice system. Worse yet, these illnesses can also lead to suicide, which veterans commit at twice the rate of our civilian population.

Fortunately, specialized Veterans Treatment Courts are being developed across the country, including in my home county of Fairfax in Virginia. To help veterans who do find themselves in the justice system and suffer from substance addiction or mental health disorders so that they can alter their course and find the assistance they deserve, Mr. Chairman.

The first such court was established in Buffalo, New York, in 2008; and since then, more than 200 have opened across the Nation. Hundreds more are currently going through the planning and training process.

Today, there are more than 11,000 vets enrolled in Veterans Treatment Courts. Virginia is home to the sixth largest veteran population in the country, with nearly 50,000 veterans, more than 10 percent of whom live in my district, the 11th Congressional District of Virginia.

The comprehensive treatment program provides eligible veterans with an alternative to jail and incarceration. Participating veterans must commit to an 18- to 24-month program, during which they receive group counseling, a dedicated veteran mentor, and enroll in vocational education and self-help programs.

By bringing veteran service organizations, State veterans service departments, and volunteer mentors into the courtrooms, Veterans Treatment Courts can promote community collaboration and connect veterans with the programs and benefits they have earned and that they may need.

Having a veteran-only court docket ensures every veteran’s justice is the same to the volunteer specialists in veterans care, and the involvement of fellow veterans allows the defendant to experience a camaraderie to which he or she became accustomed in the military.

We know this model works, and it is our hope this amendment will provide these courts with the resources they need to help our veterans who fall into the justice system to get back on the right track and transition successfully back into the society they swore to defend.

In closing, again, I want to thank the distinguished chairman, the distinguished ranking member, and their respective staffs for their cooperation in this matter.

Mr. Chairman, I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, although I support the gentleman’s amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CULBERSON. I think the gentleman has a good amendment, and I would encourage the Members to support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONOLLY).

The amendment was agreed to.

Mr. CULBERSON. Mr. Chairman, I move to strike and enter into a coloquy with my good friend, the gentleman from North Carolina (Mr. PRICE).

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I yield to the gentleman from North Carolina (Mr. PRICE) for a coloquy.

Mr. PRICE of North Carolina. I thank the gentleman for yielding, Mr. Chairman.

During the full committee consideration of this legislation, the chairman will recall that we discussed the accompanying report language that, for the first time, would allocate NSF research funding by directorate and, in particular, would disproportionately reduce funding for the Directorate for Social, Behavioral & Economic Sciences and the Directorate for Geosciences. This has raised critical questions and concerns within the scientific community.

As the legislative process goes forward, I ask for the chairman’s assurance that we can work together to preserve the National Science Foundation’s traditional discretion and flexibility in allocating basic research funding among the Foundation’s directorates.

Mr. CULBERSON. I look forward to working with you, Dr. Price, and other members of the subcommittee and the full committee, as well as the Science, Space, and Technology Committee, to ensure that we protect the independence of the National Science Foundation.

It is vitally important that America preserves its leadership role in the world, and scientific research and NSF and NASA have been a vital part of that.

A strong supporter of our investment in the sciences, my favorite Founding Father, Thomas Jefferson, liked to say that liberty was the firstborn of science.

It is vital that we work together, as I will with you, sir, as we move through conference, to continue to preserve the flexibility and independence of the National Science Foundation. We, in the committee report, are simply working to make sure NSF priorities are maintained. I will continue to work with you throughout this process as we move forward.

Mr. PRICE of North Carolina. I thank the gentleman. This is critically important. I appreciate the chance to work on this, as the legislation moves forward.

Mr. CULBERSON. I yield back the balance of my time.
$4,500,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 48082 of the 1994 Act; (11) $409,000,000 for grants to support families in the justice system, as authorized by section 1301 of the 2000 Act: Provided, That unobligated balances available for the programs authorized by section 1301 of the 1994 Act and section 4102 of the 1994 Act, prior to their amendment by the 2013 Act, shall be available for this program; (12) $3,000,000 for research and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act; (13) $500,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 40501 of the 1994 Act; (14) $1,000,000 for crisis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act: Provided, That such funds may be transferred to and administered by the Office of Justice Programs; (15) $500,000 is for a national clearinghouse that provides training and technical assistance to victims of sexual assault of American Indian and Alaska Native women; (16) $25,000,000 for victim services programs for victims of trafficking, as authorized by section 502 of the Omnibus Crime Control and Safe Streets Act of 1968, which Act shall not be available until expended; and (17) $4,000,000 for the purposes authorized under the Rape Survivor Custody Act.

OFFICE OF JUSTICE PROGRAMS

STATE AND LOCAL LAW ENFORCEMENT PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Assistance Act of 1994 (Public Law 103–322) ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Justice for All Act of 2004 (Public Law 108–455); the Victims of Child Abuse Act of 1990 (Public Law 102–548); the Adam Walsh Act of 1998 (Public Law 105–297) ("the 1998 Act"); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–486) ("the 2006 Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); the NICS Improvement Amendments Act of 2004 (Public Law 108–401); the Second Chance Act of 2007 (Public Law 110–190); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110–483); the Victims of Crime Act of 1984 (Public Law 98–473); the Mentally Ill Offender Treatment and Crime Reduction Act of 2008 (Public Law 110–190); the State Criminal Alien Program, as authorized by section 502 of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended: Provided, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act— Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that an emergency condition exists, the Attorney General will achieve a net gain in the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the following amounts are made available until expended— (1) $95,000,000 for youth mentoring grants; (2) $19,000,000 for programs authorized by the Victims of Child Abuse Act of 1990; (3) $68,000,000 for missing and exploited children programs, including as authorized by sections 404(b) and 404(a) of the 1974 Act; and (4) $1,500,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the Victims of Child Abuse Act of 1990.

PUBLIC SAFETY OFFICER BENEFITS

INCLUDING TRANSFER OF FUNDS

For programs authorized under section 101(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended: Provided, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act— Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that an emergency condition exists, the Attorney General will achieve a net gain in the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

COMMUNITY ORIENTED POLICING SERVICES COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

INCLUDING TRANSFER OF FUNDS

For grants, contracts, cooperative agreements, and other assistance authorized by the following amounts are made available until expended: (1) $11,000,000 for a program to monitor tribal gang enhancements; (2) $52,500,000 for initiatives to improve police-community relations, as described in the report accompanying this Act; (3) $41,000,000 for a grant program for community-oriented approaches to sexual assault reform; (4) $58,000,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110–190), without regard to the time limitations specified at section 6(c) of such Act; and
(6) $35,000,000 is for regional information sharing activities, as authorized by part M of title I of the Omnibus Crime Control and Safe Streets Act of 1968.

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $20,000,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this title shall be available for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest: Provided, That such abortion shall be performed only in accordance with the doctrine that abortion is a constitutionally protected activity of a competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall be construed to prohibit the administration of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligations except in compliance with the procedures set forth in that section.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act shall be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligations except in compliance with the procedures set forth in that section.

SEC. 206. The Attorney General is authorized to extend through September 30, 2016, the Enterprise Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002 (Public Law 107–296; 28 U.S.C. 301 note) by a limitation on the number of employees or the positions covered.

SEC. 207. None of the funds made available under this title may be used by the Federal Bureau of Prisons or the United States Marshals Service for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 208. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television service, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes.

(b) Assurances (a) do not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.

SEC. 209. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology system involving total development costs in excess of $100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committee on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 210. The notification thresholds and procedures set forth in section 505 of this Act shall be applied to the above amounts designated for specific activities in this Act and in the report accompanying this Act, and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 211. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve public-private competition under the Office of Management and Budget Circular A–76 or any successor administrative regulation, directive, or policy for work performed by employees of Federal Prison Industries, Incorporated.

SEC. 212. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional duties as a special assistant to the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.

SEC. 213. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings—"Violence Against Women Prevention and Prosecution Programs”, “Community Oriented Policing Services Programs”, (1) up to 3 percent of funds made available to the Office of Justice Programs for grants or reimbursement programs may be used by such Office to provide training and technical assistance; and (2) funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for such purpose, may be used to support programs administered by the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation, or statistical purposes, without regard to the authorizations for such grant or reimbursement programs: Provided, That the transfer authority in this paragraph is in addition to any other transfer authority contained in this Act. Provided further, That any transfer pursuant to this subsection shall be subject to the notification procedures applicable to a reprogramming of funds under section 505 of this Act.

SEC. 214. Notwithstanding any other provision of law, section 2010A(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13700(a)) shall not apply to amounts made available by this or any other Act.

SEC. 215. None of the funds made available under this Act provided to the Attorney General for funds appropriated by this Act shall be available for obligation until the Attorney General demonstrates to the Committees on Appropriations of the House of Representatives and the Senate not later than 30 days after the date of enactment of this Act detailing the planned distribution of Assets Forfeiture Fund in fiscal year 2016, except up to $40,000,000 may be available for obligation during fiscal year 2015.

SEC. 216. Nothing in the preceding Act shall take effect unless the Attorney General submits to the Committees on Appropriations of the House of Representatives and the Senate a report on the status of the Department’s implementation of recommendations included in the Office of Inspector General of the Department of Justice, Evaluation and Inspections Division Report 15–04 entitled “The Handling of Sexual Harassment and Misconduct Allegations by the Department’s Law Enforcement Components,” dated March, 2015, have been implemented or are in the process of being implemented.

SEC. 217. (a) Of the funds appropriated by this Act under each of the headings—“General Administration—Salaries and Expenses”, “United States Marshals Service—Salaries and Expenses”, “Federal Bureau of Investigation—Salaries and Expenses”, “Drug Enforcement Administration—Salaries and Expenses”, and “Bureau of Alcohol, Tobacco, Firearms and Explosives—Salaries and Expenses” for each of fiscal years 2016 and 2017, an amount of not more than $1,000,000 shall be available for obligation until the Attorney General demonstrates to the Committees on Appropriations of the House of Representatives and the Senate that all of the recommendations included in the Office of Inspector General of the Department of Justice, Evaluation and Inspections Division Report 15–04 entitled “The Handling of Sexual Harassment and Misconduct Allegations by the Department’s Law Enforcement Components”, dated March, 2015, have been implemented or are in the process of being implemented.

(b) The Inspector General of the Department of Justice shall report to the Committees on Appropriations of the House of Representatives and the Senate not later than 30 days after the date of enactment of this Act on the status of the Department’s implementation of recommendations included in the report specified in subsection (a).

This title may be cited as the “Department of Justice Appropriations Act, 2016”.

TITLE III
SCIENCE
OFFICE OF SCIENCE AND TECHNOLOGY POLICY
For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1980 (42 U.S.C. 1861 etseq.), the hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, $30,000,000, to remain available until September 30, 2016.
States Code, not to exceed $2,250 for official representation expenses, and rental of conference rooms in the District of Columbia, $5,555,000.

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

**SCIENCE**

For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor; as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $825,000,000, to remain available until September 30, 2017, of which $25,000,000 shall be for icy satellites surface technology and test beds.

**EXPLORATION**

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $758,600,000, to remain available until September 30, 2017.

**CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION**

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, $425,000,000, to remain available until September 30, 2017.

**ADMINISTRATIVE PROVISIONS**

**INCLUDING TRANSFERS OF FUNDS**

Funds for any announced prize otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers.

**EDUCATION**

For necessary expenses, not otherwise provided for, in the conduct and support of space science education research and development activities, including research, development, operations, support, and services; space flight, spacecraft control and communications activities, program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $3,957,300,000, to remain available until September 30, 2017.

**SPACE OPERATIONS**

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $3,957,300,000, to remain available until September 30, 2017.

**SAFETY, SECURITY AND MISSION SERVICES**

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, space technology, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $758,600,000, to remain available until September 30, 2017.

**CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION**

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, $425,000,000, to remain available until September 30, 2017.

**OFFICE OF INSPECTOR GENERAL**

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, $37,400,000, of which $500,000 shall remain available until September 30, 2017.
new account established in this Act that provides for such activities. Balances so transferred shall be merged with the funds in the newly established account, but shall be available under the same terms, conditions and period of time as previously appropriated.

**National Science Foundation Research and Related Activities**

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86-209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance of aircraft and the purchase of flight services for research support; acquisition of aircraft; and authorized travel; $5,803,645,000, to remain available until September 30, 2017, of which $320,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: Provided, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation.

**Major Research Equipment and Facilities Construction**

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1881 et seq.), including services as authorized by section 3109 of title 5, United States Code, authorized travel, and rental of conference rooms in the District of Columbia, $865,900,000, to remain available until September 30, 2017.

**Education and Human Resources**

For necessary expenses in carrying out science, mathematics and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1881 et seq.), including services as authorized by section 3109 of title 5, United States Code, authorized travel, and rental of conference rooms in the District of Columbia, $596,500,000, to remain available until September 30, 2017.

**Agency Operations and Award Management**

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1881 et seq.); services as authorized by section 3109 of title 5, United States Code; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services: $325,000,000. Provided, That not to exceed $3,250,000 is for official reception and representation expenses: Provided further, That contracts may be entered into under this heading in fiscal years 2016 and 2017 for maintenance and operation of facilities and for other services to be provided during the next fiscal year: Provided further, That the amount of costs associated with section the acquisition, occupancy, and related costs of new headquarters space, not more than $27,570,000 shall remain available until expended.

**Office of the National Science Board**

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86-209 (42 U.S.C. 1880 et seq.), $4,370,000. Provided, That not to exceed $2,250,000 is for official reception and representation expenses.

**Office of Inspector General**


**Administrative Provision**

Not to exceed 5 percent of any appropriation made pursuant to this Act for any fiscal year shall be used to pay non-career full-time staff of one-half time or more and $150,000 is for an Inspector General in the Office of Inspector General: Provided, That none of the funds appropriated in this Act shall be for the employment of, or contract for services of, any individual who is, during any part of the period for which such funds are appropriated, an employee of, or contractor for, the Office of Inspector General of the United States Department of Commerce: Provided further, That none of the funds appropriated in this Act shall be used to pay the salary or expenses of the Inspector General of the United States Department of Commerce: Provided further, That none of the funds appropriated in this Act shall be used for services for the purpose of providing legal representation in any Federal or State Court, or before any Federal or State administrative proceeding, in a matter arising out of the performance of official duties by the Inspector General of the United States Department of Commerce.

**Title IV Related Agencies**

**Commission on Civil Rights Salaries and Expenses**

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $9,200,000: Provided, That none of the funds appropriated in this paragraph shall be used to employ in excess of ten persons authorized to perform full-time duties under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: Provided further, That not more than $30,000,000, of which not to exceed $2,250,000 shall be available for official reception and representation expenses: Provided further, That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: Provided further, That, for the purposes of section 505 of this Act, the Legal Services Corporation shall be considered an agency of the United States Government.

**Administrative Provision—Legal Services Corporation**

None of the funds appropriated in this Act to the Legal Services Corporation shall be used for any purpose otherwise limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105-119, and all funds appropriated in this Act shall be subject to the same conditions and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 shall be deemed to refer instead to 2015 and 2016, respectively.

**Marine Mammal Commission Salaries and Expenses**


**Office of the United States Trade Representative Salaries and Expenses**

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, $54,250,000, of which $1,000,000 shall remain available until expended: Provided, That not to exceed $124,000 shall be available for official reception and representation expenses.

**State Justice Institute Salaries and Expenses**

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1984 (42 U.S.C. 1701 et seq.) $5,121,000, of which $500,000 shall remain available until September 30, 2017: Provided, That not to exceed $2,250 shall be available for official reception and representation expenses: Provided further, That, for the purposes of section 505 of this Act, the State Justice Institute shall be considered an agency of the United States Government.
TITLE V
GENERAL PROVISIONS
(INCLUDING RESCissions)
(INCLUDING TRANSFER OF FUNDS)

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under any consultant service or service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such service is a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

SEC. 505. None of the funds provided under this Act, or provided under previous appropriations acts, or any unobligated balances of any appropriations contained in this Act that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury of the United States or in any agency or instrumentality of the United States Government, except pursuant to any consultation or service through procurement contract, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates or initiates a new program, project, or activity; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity that has not been authorized or approved or whose obligations have not been committed; (4) relocates an office or employees; (5) reorganizes or renames offices, programs, or activities; (6) contracts out or privatizes any functions or activities previously performed by Federal employees; (7) augments existing programs, projects, or activities in excess of 10 percent; (8) is less, or reduces by 10 percent, the funding for any program, project, or activity, or numbers of personnel by 10 percent; or (9) results in an averaging of the total savings from a reduction in personnel, which would result in a change in existing programs, projects, or activities as approved by Congress.

SEC. 506. If any contractor is unable to comply with any requirements with respect to authorized purchases of promotional items, the Director of the Office of Management and Budget, in consultation with the Director of the Office of Management and Budget, may determine that such contractor shall be subject to the procedures set forth in section 9.409 of title 48, Code of Federal Regulations.

SEC. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For obligations made, for which unobligated, committed balances quarterly reports shall separately identify amounts the applicable to each source of appropriation from balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.

(b) The report described in subsection (a) shall be submitted within 30 days of the end of each quarter.

(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each report the extent to which such aspect is not fulfilled.

SEC. 508. Any costs incurred by a department or agency under this Act resulting from actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to the department or agency and shall not be treated as an obligation of the department, agency, or an appropriation account.

SEC. 509. None of the funds provided by this Act shall be used for publicity or expenditure through a reprogramming of funds that—

(1) creates or initiates a new program, project, or activity; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity that has not been authorized or approved or whose obligations have not been committed; (4) relocates an office or employees; (5) reorganizes or renames offices, programs, or activities; (6) contracts out or privatizes any functions or activities previously performed by Federal employees; (7) augments existing programs, projects, or activities in excess of 10 percent; (8) is less, or reduces by 10 percent, the funding for any program, project, or activity, or numbers of personnel by 10 percent; or (9) results in an averaging of the total savings from a reduction in personnel, which would result in a change in existing programs, projects, or activities as approved by Congress.

SEC. 510. None of the funds made available in this Act may be used to pay the salaries and expenses of personnel of the Department of Justice to obligate more than $2,705,164,000 during fiscal year 2016 from the fund established by section 1402 of Public Law 98-473 (42 U.S.C. 16661).

SEC. 511. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer of authority provided in this Act or any other appropriation Act.

SEC. 513. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 565 of this Act.

SEC. 514. The Department of Agriculture, the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants awarded under this Act that remain available for obligation beyond the current fiscal year unless expressly so provided herein.
None of the funds appropriated or otherwise made available under this Act may be used to acquire a high-impact or moderate-impact information system reviewed and assessed (a) unless the head of the assessing entity described in subsection (a) has—

(1) developed, in consultation with NIST, the FHI, and the Privacy Rights and Risk Management Experts, a mitigation strategy for any identified risks;

(2) determined, in consultation with NIST and the FHIT that the acquisition of such system is in the national interest of the United States; and

(3) reported to the Committees on Appropriations of the House of Representatives and the Senate and the agency Inspector General.

Since July 17, 2006, the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

Sect. 517. (a) Notwithstanding any other provision of law or treaty, in fiscal year 2016 and each fiscal year thereafter, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States Government in administrative expenses or to compensate an officer or employee of the United States in connection with requiring an exporter to ship or to export to Canada any of the following:

(A) fully automatic firearms and components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Traffic in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding $500 wholesale in any transaction, provided that the export to Canada is not a violation of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters; The Right to Financial Privacy Act of 1978; The Communications Privacy Act; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; and the laws amended by these Acts.

(b) At any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce, Defense, Transportation, Commerce, Justice, Science and the National Aeronautics and Space Administration, or the National Science Foundation totaling more than $75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent or more, the program manager shall immediately inform the respective Secretaries, Administrators, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days of writing such increase, and shall include in such notice:

the determination of such increase; a statement of the reasons for such increases; the action taken and proposed to be taken to control future costs; the amount of total program costs growth in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project costs.

Sect. 521. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for the Department of Justice, the following activities are deemed to be specifically authorized by the Congress for purposes of section 501 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2016 until the enactment of the Intelligence Authorization Act for fiscal year 2016.

Sect. 522. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for the Department of Justice, the following activities are deemed to be specifically authorized by the Congress for purposes of section 501 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2016 until the enactment of the Intelligence Authorization Act for fiscal year 2016.

Sect. 523. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States-Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States-Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States-Mexico Trade Agreement.

Sect. 525. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301-10.122 through 301-10.124 of title 41 of the Code of Federal Regulations.

The Department of Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2016, specifying the amount of each rescission made pursuant to subsection (b).

SEC. 524. (a) Of the unobligated balances from prior year appropriations made available to the United States Government.

(b) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2016, from the following accounts in the specified amounts—

(1) “Working Capital Fund”, $100,000,000;

(2) “United States Marshals Service, Federal Prisoner Detention”, $69,500,000;

(3) “Federal Bureau of Investigation, Salaries and Expenses”, $120,000,000 from fines collected to defray expenses for the automation of fingerprint identification and criminal information services and associated costs;

(4) “State and Local Law Enforcement Activities, Office of Violence Against Women, Violence Against Women and出处 Protection Programs”, $15,000,000;

(5) “State and Local Law Enforcement Activities, Office of Justice Programs”, $40,000,000; and

(6) “State and Local Law Enforcement Activities, Community Oriented Policing Services”, $20,000,000.

(c) The Department of Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2016, specifying the amount of each rescission made pursuant to subsection (b).

Sect. 525. None of the funds made available in this Act may be used to authorize or issue an export license for the export to Canada of United States origin “curios or relics” firearms, parts, or ammunition.

The Clerk read as follows:

The Acting CHAIR. The Clerk will read the amendment offered by Mr. Nadler.

Mr. NADLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. Pursuant to House Rule Resolution 287, the gentleman

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The Clerk read as follows: Strike section 527.
June 2, 2015

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from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I have two amendments to strike sections 527; the second strikes section 528. I had to put them in as two separate amendments because only one amendment pends at a time, but they are really together.

Sections 527 and 528, which my amendment would strike, restricts the President’s authority to move Guantanamo Bay detainees to the States for trial.

Mr. Chairman, simply put, it is time to punish Khalid Sheikh Mohammed, the mastermind of the 9/11 attacks. In GTMO, he has not been tried, convicted, or punished. Meanwhile, Federal courts have tried, convicted, and punished more than 400 terrorists. None of them have ever escaped from a U.S. prison. No prison where they are located has ever been subjected to an attack.

The only thing my friends who are opposed to closing GTMO have on their side is fear. Fear, Mr. Chairman. As they argue against this amendment, they will try to tell us that these men are dangerous and scary, that these men can harm us, that they are the worst of the worst—and some may be—but these men are already in our custody.

Like so many murderers and terrorists already in prison, they have no power over us. They have been shut off from the outside world for more than a decade.

If there are terrible people in Guantanamo—and I am not denying that there are—then it is time for them to face the consequences of their actions in a U.S. court. And that is why I am in a rush.

The terrorists that have been prosecuted and sentenced had their day in court and were found guilty. U.S. Federal courts have successfully tried and convicted criminals and terrorists during times of war and peace for hundreds of years, all while respecting the rights of due process that our Constitution demands.

This leads me to believe that some of my colleagues do not believe in the American system of justice. They do not trust our American courts to do justice. I do not understand why.

Through the centuries, our legal system has kept America safe by putting away dangerous individuals while protecting those who were innocent of the government’s charges against them. That is the beauty of our system that has made it the envy of the world.

The principles underpinning the system, that every person has a fair trial, are built into our Constitution and are part of our most basic values. But in order for the system to work, you actually need to get your day in court.

Under our amendment, this bill guarantees that we will continue holding people indefinitely at Guantanamo Bay.

Even though we suspect that we are holding people who are terrorists, some of whom probably are, in fact, terrorists, none of this has been proven in a court of law. Without this amendment, we will continue to hold them indefi-

nently without charge, contrary to our constitutional obligations, contrary to any notion of due process.

The founding principles of the United States, that no person may be deprived of liberty without due process of law and certainly may not be deprived of liberty indefinitely without due process of law, demands that we close the detention facility at Guantanamo.

We must close this facility, try these people, condemn the guilt, place them in supermax facilities, release the innocent, if there are any; and restore our national honor. I urge the support of this amendment.

I reserve the balance of my time.

Mr. CULBERTSON. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERTSON. Mr. Chairman, I want to make sure everyone in the House understands that the gentleman from New York (Mr. NADLER) is attempting to do is to give constitutional rights to foreign nationals captured on battlefields overseas who are being held in Guantanamo Bay. Never before in American history have we ever given enemy—enemy combatants captured overseas on a battlefield—constitutional rights. The most precious rights we have, that were fought for, bled for, died for by our forefathers on so many battlefields all over the world to preserve these precious rights reserved for the people of the United States of America. Mr. NADLER wants to extend the protections of this Constitution to the killers and the psychopaths who have killed so many Americans.

I could not disagree more strenuously. I know the House disagrees strenuously. We have voted on this repeatedly. And the House and the Congress have repeatedly affirmed this language, which says very clearly, “none of the funds appropriated”—this is the language Mr. NADLER seeks to strike:

“None of the funds appropriated . . . in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States . . . Khalid Sheikh Mohammed or any other detainee who is not a United States citizen or a member of the Armed Forces . . . and is or was held on or after June 24, 2009 . . . at Guantanamo Bay or any other foreign national.”

During World War II, a group of Nazi saboteurs who landed on beaches in Long Island and in Florida were captured fairly rapidly by local police officers and local militias were handed over to the U.S. military. Franklin Roosevelt did the right thing, and they immediately held these Nazis as military detainees. They were accorded a trial under the Code of Military Justice and executed, as they should have been, I think within about 60 days.

This is not really an issue with the American people, who I hope, Mr. Chairman, are out watching tonight because there could be a more dramatic contrast between the majority in the House that is representing the will of the Nation in seeing that our laws are enforced and the enemies of the United States are hunted down wherever they may hide.

I had a constituent tell me Hamas stands for “hiding among mosques and schools.” Wherever these people may hide—they hide behind women and children. They will not face our soldiers on the battlefield. When we have met them on the battlefield, we have defeated them decisively.

Where the men and women of the United States military find these people and hunt them down and kill them or capture them—if we have captured and they have information that could save American lives, we bring them to Guantanamo Bay, and we have saved countless lives by holding them there.

We, in this appropriations bill, make clear that we will not give these killers, these cowards, these terrorists, these foreign fighters on foreign battlefields the precious rights reserved for the people of the United States by this Constitution. And it is that simple.

If you want to give terrorists, foreign fighters on foreign battlefields constitutional rights, you should vote with the gentleman from New York (Mr. NADLER).

Vote against Mr. NADLER’s amendment if you believe that the rights guaranteed by this Constitution are reserved for the people of the United States and that if you are an enemy combatant, a foreign national fighting the United States, you are going to be dealt with severely and accorded the Code of Military Justice, as it should be.

I reserve the balance of my time.

Mr. NADLER. How much time do I have remaining, Mr. Chairman?

The Acting CHAIR. The gentleman from New York has 90 seconds remaining.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

First of all, almost everything the gentleman just said is not apropos and is wrong.

The Supreme Court of the United States has ruled that the people at Guantanamo have exactly the same constitutional rights—no more and no less—than they would have if brought to the United States. So it has nothing to do with giving constitutional rights to foreign nationals.

Second of all, some of these people were, indeed, captured on foreign battlefields; some were not.

Third of all, maybe they should be tried by military tribunals—but they have been held 14, 15 years.

We can’t manage to try them by foreign tribunals. Put them in a Federal court. Try them. Convict them.
Put them in a Federal court, try them, and convict them. If you want to put them in a military tribunal, you can do that, fine. We haven’t managed to. But the fact is, by staying in Guantanamo, they don’t have any less, fewer, or more constitutional rights than anyone within the jurisdiction of the United States, according to the Supreme Court, has constitutional rights. We must treat them with due process. All this amendment says is treat them the way the Supreme Court has said we should: try them, condemn them, or find them innocent, as the case may be. Some may be innocent. Many of them are not. Some may be. We should follow our traditions.

Mr. Chairman, I urge the adoption of this amendment so that we can apply American concepts of justice as the Supreme Court has said we must.

We can try them by military tribunal in Guantánamo or in the United States. We can try them in Federal Court. Military tribunals haven’t worked. We haven’t been able to make them work. Federal courts have worked. We should condemn the guilty and release the innocent, if there are any.

Mr. Chairman, I yield back the balance of my time.

Mr. FATTAH. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. It was not long after 9/11 that we held a conversation here in Washington, and the former Speaker was on a panel over in Rayburn. I think. We were discussing this, and he said, well, this is the situation that we find ourselves in after these attacks. And I asked Speaker Gingrich at the time, former Speaker, this notion of us being a nation of laws, what did that mean now. Because under former President Bush, the original President Bush, he had complained about the Chinese holding people without trial. We had issued a formal complaint that the Chinese were holding people without trial, using secret evidence and so forth and so on, and what did this mean now in the context of our own country’s conduct. Speaker Gingrich said that, well, he wasn’t really sure because we are at a difficult moment.

So in that case, we have had two Presidents who tried to close Guantánamo. President Bush who opened it, and his second administration wanted to end it, and then we had two Presidential elections in which the country voted for Barack Obama, who said he wanted to close this facility. We have a congressional majority that is not going to do it, that is going to put every impediment in the way of doing it.

We have our national security enterprise that says that this is used as a recruitment tool against our interests, that this is working against the security of the United States. And, more important than perhaps even that is, I am sure, g awna at our ideals as Americans that you would take someone, hold them, never try them, never produce any evidence in a tribunal of any type, military or civilian, and say that you are going to punish them in any penalty, that this is not the great Nation that our ideal speaks to. This is the act of something less than what we should be doing as a great country.

Mr. Chairman, I know that it is not popular and Mr. NADLER’s amendment is not going to probably enjoy majority support, but at the end of the day, we can’t just ask what is popular or what is politic. At some point, we have to ask ourselves what is the right thing. If we can complain about China holding people without charge, with secret evidence and no trial and no access to lawyers, then we have to think about looking in the mirror and think about what we have allowed other people’s actions to turn our country into this circumstance. We can’t say that.

So, Mr. Chairman, I rise in support of the Nadler amendment, and I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I yield myself such time as I may consume.

Let me, if I could, Mr. Chairman, point out that President Obama has already said he wants to close Guantánamo Bay and bring these people into the United States. The 19 terrorist captured in the United States, and therefore he was entitled to constitutional protection because he was in the United States.

But the only thing standing between Barack Obama giving these terrorists and killers constitutional rights is this language in this appropriations bill which says none of the money in the United States can be used to transfer these killers into the United States. As soon as they touch our soil, they will be set free. And that is exactly what Mr. NADLER wants to do with his amendment is give these precious constitutional rights to these killers and these cowards that have been captured on foreign battlefields, these foreign nationals who have never been afforded the protection of the United States Constitution, which is reserved for the people of the United States.

They deserve what they have got. They are lucky to be alive. They are lucky to be in Guantánamo Bay. And I urge Members to vote against this amendment to ensure that these people are given what they deserve, and that is, whether it be life in prison or whatever lies ahead of them, that they will never again threaten the people of the United States.

Mr. Chairman, I urge Members to vote “no,” against Mr. NADLER’s amendment, to ensure that constitutional rights are only afforded to people of the United States or those persons who are actually within our boundaries when they are captured or they commit a crime.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER). The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

The Clerk will read.

The Clerk reads as follows:

SEC. 528. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modifications at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

AMENDMENT OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I have an amendment to strike section 528.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Strike section 528.

The Acting CHAIR. Pursuant to House Resolution 257, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, this is really a continuation of our colloquy from the last amendment since they both seek to do the same thing. Let me just say a couple of things.

Again, the United States Supreme Court has ruled that people in Guantánamo Bay have the same constitutional rights as people in Florida, New York, or Washington, so I do not seek to give people in Guantánamo Bay constitutional rights they do not already have. They have the constitutional rights. That was the Supreme Court decision in 2008. I think, in that decision, the Supreme Court recognized the constitutional rights. Anyone under the jurisdiction and effective control of the United States has the constitutional rights, so that is not really in question.

What is really in question is: Are we going to honor our obligations? Now, the gentleman says that some of these people are terrible people, that they are murderers. Some of them may be,
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and some of them are, but some of them may not be. They have not been
tried. They ought to be tried.

As the gentleman from Pennsylvania
said, we have criticized the Chinese
communists, and we have criticized
many for holding others in jail indefi-

and for not giving them any kind of
due process. These people, like any
other human beings, deserve some due
process.

Some of them, I am sure, have been
terrorists. They ought to be condemned
and put in jail forever. Some of them
may not be. And some of them were
captured on foreign battlefields and
some were not. Some of them were sim-
ply victims of the Hatfields and the
McCoy's feud between two tribes of
clans in Afghanistan or wherever, and
one clan said: Gee, the Americans are
paying a $5,000 bounty, so why don't we
tip them off to our enemy and tell them
that they are a terrorist. Some of them
ought to be tried.

The facts ought to come out. Some
due process ought to be given. No one
ought to be held in jail for life without
a trial, without a hearing, and without
some due process. That is what we stand
up and say. That Americans deserve due
process but other people do not. A, it is wrong.

Other people do not have constitu-
tional rights, but if they are in the
United States, they do. If they are in
Guantanamo, they have constitutional
rights. The Supreme Court has already
said that.

So the question here is: Are we going
to bring them to a facility in the
United States, a supermax facility? No
one has escaped from them. It is cheap-
er. It saves the taxpayers a lot of
government. Give them a trial. Throw them
at Guantanamo, they have constitutional
rights. The Supreme Court has already
said so. But if they are in the
United States, they do. They are in
Guantanamo. They say: Look at those Amer-
ican hypocrites. They are persecuting
American nationals captured on foreign battlefields either attempting to or having
already killed American soldiers. This
language that Mr. NADLER is attempting
to strike prohibits, says:

"None of the funds appropriated by
this Act may be used to construct or acquire or modify any fac-
ility in the United States to house any individual transferred into the
United States from Guantanamo Bay."

Mr. CULBERSON. Thank you, Mr.
NADLER, because the section we are
dealing with is a prohibition against
building a prison facility in the United
States to house these people. So that is
what the debate needs to be about.

What you are attempting to strike is a
prohibition against using our tax-
payers' hard-earned dollars to build a
prison facility or modify it to
house anybody transferred from Guan-
tanamo.

Now, this is very clear-cut. This is
very simple. Obviously anybody held, if
you are in a military tribunal, you get
due process. That is not the issue.

What Mr. NADLER is attempting to do
do is try to extend the bill. Mr. Nadler
do not have constitutional
rights. The Su-
perior Court already said that we have had for over 200 years,
people would destroy this Constitution
that President Obama cannot use Fed-
eral hard-earned taxpayer dollars to
build a prison facility to house these killers.

Mr. NADLER. Will the gentleman
yield?

Mr. CULBERSON. I urge Members to op-
pose this amendment, and I reserve the balance of my time.

Mr. NADLER. Mr. Chairman, I yield
myself such time as I may consume.

Again, Mr. Chairman, even the Nazis
who came ashore on Long Island
that the gentleman referred to before were
tried in the military tribunal. They
weren't simply thrown in jail and held
forever. They were tried in a military
tribunal, condemned, and then sen-
tenced to death.

All this amendment says is we should
do the same thing, that people who are
in the custody and the jurisdiction of
the United States already have con-
istutional rights. We are not giving
them constitutional rights. The Su-
preme Court already said they have
constitutional rights. The Sup-
reme Court already said they have
constitutional rights.

One more thing. The gentleman
keeps saying that these people were en-
emies of the United States captured on
the foreign battlefield. Some were and
some were not.

Mr. CULBERSON. Will the gentle-
man yield?

Mr. NADLER. I yield to the gentle-
man from Texas.

Mr. CULBERSON. Thank you, Mr.
NADLER, because the section we are
dealing with is a prohibition against
building a prison facility in the United
States to house these people. So that is
what the debate needs to be about.

What you are attempting to strike is a
prohibition against using our tax-
payers' hard-earned dollars to build a
prison to house these killers.

Mr. FATTAH. Will the gentleman
yield?

Mr. NADLER. I yield to the gentle-
man from Pennsylvania.

Mr. FATTAH. Mr. Chairman, this
is an appropriations bill. I just want ev-
everybody to know it is $2 million per in-
mate at Guantanamo. It is a premium
facility, $2 million per inmate.

The Acting CHAIR. The time of the
gentleman from New York has expired.

Mr. CULBERSON. Mr. Chairman, the
question before the House is whether or not our taxpayers' hard-earned dollars are
going to be used to build a prison facility in the United States to house the
terrorists and killers and cowards held in Guantanamo Bay. That is the
question before us.

Mr. NADLER. Will the gentleman
yield?

Mr. CULBERSON. I yield to the gen-
tleman from New York.

I cannot think of anything more de-
structive or damaging to the morale of
our troops, to the morale of our Na-
ton, and to all of those families who
lost loved ones in the war on terror
than to bring in these killers and cow-
ards in the United States and grant
them the protection guaranteed to
American citizens in the United States
Constitution.

Mr. Chairman, I urge Members to op-
pose this amendment, and I reserve the
balance of my time.
Mr. NADLER. Does the gentleman not know what has been testified to repeatedly, that it will be a lot cheaper for the taxpayers’ money to hold them in the United States than in Guantanamo?

Mr. CULBERSON. Well, that may be your opinion, sir, but we will not, and will not ever, afford constitutional rights or house foreign fighters captured on a foreign battlefield who have been killing the men and women of the Armed Forces of the United States on a foreign battlefield, we are never going to house them in a prison in the United States. We are never going to give them constitutional rights. Those rights are reserved to the people of the United States and the people who commit crimes within the boundaries of the United States.

The 19th terrorist, who didn’t quite make it that day, was captured in the United States, and he was given a trial, as he should be. The Constitution extends due process in a military tribunal, as these individuals have been given due process in military tribunals at Guantanamo Bay. That is the way it always has been and always should be.

And certainly the Members of this House have voted repeatedly in the past, and I am confident they will vote again tonight to defeat this amendment to reaffirm that these precious rights in the United States Constitution are reserved for the people of the United States and will never be extended to enemy foreign fighters, particularly these cowards who have been waging war against women and children and won’t come out and fight our men and women on the battlefield in open combat.

The message in this bill is the only thing standing between President Barack Obama in his attempt to close Guantanamo Bay and move these people into prison facilities in the United States. So I urge Members to vote against Mr. NADLER’s amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The amendment was rejected.

Mr. CULBERSON. Mr. Chairman, I move to strike the last word and enter into a colloquy with the gentleman from Texas (Mr. BABIN) and the gentleman from Florida (Mr. POSEY).

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I yield initially to my friend, Mr. BABIN, and then will yield to Mr. POSEY.

Mr. BABIN. Mr. Chairman, I am seeking an increase of funding for the Commercial Crew Program in our Science budget.

For the past several years, the United States taxpayers have been paying over $70 million a person to launch our astronauts to the International Space Station on Russian vehicles from Russian soil. We must end this reliance on the Russians as quickly as possible. We must set priorities within the NASA budget to make sure that the American people are launched from American soil on American vehicles sooner rather than later.

When it comes to spending within our NASA budget, it is important that we set a precedent of what we think is the right technological thing to do. NASA is the only U.S. Government agency that has human spaceflight as its mission. If NASA doesn’t do it, then it simply is not going to be done.

This investment in Commercial Crew, which is managed out of Johnson Space Center in the 36th congressional District, would aid the development of U.S. human spaceflight capabilities and lay the foundation for future commercial transportation and end our dependence on the Russians.

I look forward to working with you, Mr. Chairman, to ensure that we give this program the funding necessary to end our reliance on the Russians.

Mr. CULBERSON. Thank you, Mr. BABIN, for your encouragement. I am sure that as we work through this process in conference and the additional funding becomes available—and I do expect that as we move forward, if we have additional funding, we are going to make sure that any gaps or holes, whether it be in the Orion program or wherever else, we are going to fill those holes and make sure that we are given as much support as we possibly can to Commercial Crew and to Orion.

We funded the Orion program at the level the President requested. And if we get additional funds, we will do our very best to hit that mark also for the Commercial Crew Program.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I am very supportive of the Commercial Crew Program, and I think that there is a shortfall in that particular program. I think that is what the gentleman is referring to in his hope that we can address that shortfall so that we don’t have to spend what has now been about $500 million with our Russian counterparts in order to transport astronauts to the International Space Station.

Mr. CULBERSON. We will work together. If we, as we say, find additional funds, we will do everything we can to help Orion.

Mr. BABIN. Thank you for your consideration, Mr. Chairman.

Mr. CULBERSON. I will be happy also to yield to my good friend, Mr. POSEY, for a colloquy as well.

Mr. POSEY. Thank you, Mr. Chairman.

This bill adequately funds the Space Launch System, the rocket which will carry the Orion capsule into space, and I am grateful for that.

It adequately funds exploration ground systems, which are essential to getting Orion off the ground, and I am really grateful for that.

But without sufficiently funding the Orion capsule, we will be delaying the deep space exploration missions. Orion is a very unique and very special spacecraft, unlike any we have ever sent into space, possessing capabilities to carry astronauts deeper into space than humans have ever gone before. The technological maneuvering challenges are enormous, and it requires proper funding to get the job done.

It is critical that Orion receives adequate funding to remain on schedule. My rough calculations indicate this funding level, so much less than authorized, can result in the delay of having Orion online by as much as 2 years.

Imagine having our space launch systems ready to go, our exploration ground systems ready to go, and no space capsule ready to fly for 2 more years after that. That would be disastrous.

Unfortunately, when Congress assigns tasks to NASA and does not provide adequate funding, America’s space program gets criticized and maligned for being behind schedule, when it is actually Congress that caused the problem.

I thank my colleagues for their work on this issue, and I am hopeful that we can work together to make certain Orion gets enough funding to stay on schedule to carry humans into space, deep space, by 2021.

I thank Chairman CULBERSON for his work on this and his assurance that we can work together to secure adequate funding to keep Orion on schedule.

Mr. CULBERSON. I want to assure the gentleman that we will do so. I want to make sure to make the RECORD clear that we funded Orion at the level requested by NASA. We fully funded in exactly the number they asked for. If additional funds become available, and it looks like it is really going to help them speed up the program, we will certainly make those funds available to them, because we want to get Americans back into space as quickly as possible on an American built rocket. That is why you have seen us plus up the SLS heavy launch rocket program to accelerate that program, which will have so many uses. But, of course, you know I don’t know there is any stronger advocate for NASA and America’s space program than I am and you gentlemen are, I look forward to working with you.

The Acting CHAIR. The time of the gentleman has expired.

The Acting CHAIR. I move to strike the last word with the gentleman from Texas.

The Acting CHAIR. Under the rule, the gentleman cannot strike the last word.
The Acting CHAIR. Only the gentleman from Texas and the gentleman from Pennsylvania can move to strike the last word under the rule.

Mr. CULBerson. Mr. Chair, I move to strike the last word and enter into a colloquy with the gentleman from Colorado, my friend.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBerson. I yield to the gentleman from Texas.

Mr. PERLMUTTER. I thank the gentleman from Texas, and thank my friend from Florida for speaking up on behalf of Orion.

Orion is America’s new spacecraft to take astronauts further into space than ever before and land our astronauts on Mars.

Orion had its maiden test flight this past December, and it was a resounding success. The Orion program, as Mr. Posey stated, needs a full funding for this fiscal year and we believe it to be $1.35 billion for fiscal year ’16 to meet those needs.

I appreciate the committee including language in the committee report requiring NASA to provide an assessment of these challenges, but Congress needs to fully fund the resources necessary in fiscal year ’16 to mitigate the entire risk and move this project forward.

So I thank the gentleman from Texas for his support of the Orion program. We need to make sure it has sufficient resources and that any additional funding that Orion needs that they receive as we move through this process and go into conference.

As you noted, the bill that we have before us tonight funds Orion at the level requested by NASA. We gave them exactly what they asked for. We also asked them to give us reports on making sure they can meet their deadlines for testing the spacecraft and meeting their milestones. As they prove that to us and as we get further along and additional funds get available, they show us they need that, of course, we will put them at the top of the list.

Mr. PERLMUTTER. I thank the gentleman. I look forward to staying on top of this so that as they move forward we have sufficient funding to really propel this project forward and get our astronauts to Mars.

Mr. CULBerson. I thank the gentleman. America will never surrender the high ground—outer space is the high ground of the 21st century—and we are going to make sure to preserve America’s leadership in space exploration, both manned and unmanned.

I yield back the balance of my time.
policy provisions into must-pass spending bills.  
I ask unanimous consent to withdraw my amendment. 

The Acting CHAIR.  Is there objection to the request of the gentlewoman from Connecticut?

There was no objection. 

The Acting CHAIR.  The amendment is withdrawn.

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The Acting CHAIR.  The Clerk will read, 

The Clerk read as follows:

SEC. 533.  (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is viewing, downloading, and exchanging of pornography.  
(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, adjudication, or other law-enforcement related activity.

SEC. 534.  The Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, the Commission on Civil Rights, the Equal Employment Opportunity Commission, the International Trade Commission, the General Services Corporation, the National Aeronautics and Space Administration, the Marine Mammal Commission, the Offices of Science and Technology Policy and the United States Trade Representative, and the State Justice Institute shall submit spending plans, signed by the respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

SEC. 535.  None of the funds made available by this Act may be used to relinquish the responsibility of the National Telecommunications and Information Administration with respect to Internet domain name system functions, including responsibility with respect to the authoritative root zone file and the Internet Assigned Numbers Authority functions.

SEC. 537.  None of the funds made available by this Act shall be used to deny the Inspector General access to all records, documents, and other materials in the custody or possession of the respective department or agency or to prevent or impede the particular Inspector General’s access to such records, documents, and other materials, unless in accordance with an express limitation of section 6(a) of the Inspector General Act, as amended, consistent with the plain language of the Inspector General Act, as amended. The Inspectors General of the Department of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation shall report to the Committees on Appropriations of Representatives and the Senate within five calendar days any failures to comply with this requirement.

SEC. 538.  No funds provided in this Act shall be used to deny the Inspectors General of the Department of Commerce and Justice, the National Aeronautics and Space Administration, and the Office of Science and Technology Policy shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate on any official travel by any employee of such Department or agency, including the purpose of such travel.

SEC. 540.  (a) Funds made available in this Act may be used to facilitate, permit, license, or promote exports to the Cuban military or intelligence service or to any officer of the Cuban military or intelligence service, or an immediate family member thereof.  
(b) This section does not apply to exports of goods permitted under the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201 et seq.).

(c) In this section:

(1) the term ‘‘Cuban military or intelligence service’’ includes, but is not limited to, the Ministry of the Revolutionary Armed Forces, and the Ministry of the Interior, of Cuba, and any subsidiary of either such Ministry; and

(2) the term ‘‘immediate family member’’ means a spouse, sibling, son, daughter, parent, grandparent, grandchild, aunt, uncle, niece, or nephew.

AMENDMENT OFFERED BY MR. FARR

Mr. FARR.  Mr. Chairman, I have an amendment at the desk to strike section 540.

The Acting CHAIR.  The Clerk will report the amendment.

The Clerk read as follows:

Strike section 540 (page 97, line 18 through page 98, line 10).

The Acting CHAIR.  Pursuant to House Resolution 387, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. FARR.  Mr. Chairman, I am serving my 22nd year in the United States Congress, and I have never seen a provision in an appropriations bill like this.

This amendment in there could be labeled the ‘‘family feud.’’ There is only one Member of Congress who is related to anybody in the leadership in the military or intelligence service or to the person who put this amendment in.

What does it prohibits businesses from doing business in Cuba because it makes it almost impossible for any business to do business in Cuba. That is why the United States Chamber of Commerce; the National Foreign Trade Council; the Emergency Committee for American Trade; USA Engage, which is by and large supports moving forward with greater engagement. Our new direction will do more to help Cuban civil society than riders that try to breathe life into an unsuccessful Cuba policy.

Mr. FARR.  Almost every country in this hemispheric almost every country in the world has normal trade relations with Cuba. We are trying to open those up so that businesses in America原因之一 particularly our agriculture and our other trading goods, can take advantage of the market in Cuba—not a big one, but an important one—because it is so close to shore.

What this amendment does is it stops all that. It targets the Cuban military by saying that anything related to the Cuban military and what they own, which is a lot of businesses in Cuba—not may not be used to facilitate, permit, license, or promote exports to the Cuban military or intelligence services or the immediate families thereof.

This is what is really so damaging. The term ‘‘immediate family,’’ as described in the bill, means a spouse, sibling, son, daughter, parent, grandparent, grandchild, aunt, uncle, niece, or nephew. Now, how does a business-person in the United States know if
The language in the mark, in the bill, simply affirms that we should not send exports—I will make this very clear—to the Cuban military or the intelligence community or their immediate families. It unmask this amendment, what this amendment is saying is no, no, no, that we do support and that we do want to do business with the Cuban military and the Cuban intelligence services and their immediate families.

By the way, it is the same military and intelligence services that brutalized the Cuban people, that beat pro-democracy demonstrators, that beat a number of American citizens in Panama recently, that illegally smuggles weapons, which has members of that Cuban military under indictment here in a U.S. Federal court for the murder of American citizens.

I am glad this amendment is here because this amendment unmask the underlying issue, and the chairman's mark specifically deals with—again, as I mentioned—the Cuban military and the intelligence community and their immediate relatives.

If this amendment were to happen, what we would be saying is that we want to do business, not with Cuba and not with the Cuban people, but with the Cuban military and the intelligence services and their direct relatives.

If this amendment were to happen, what we would be saying is that we want to do business, not with Cuba and not with the Cuban people, but with the Cuban military and the intelligence services and their direct relatives. I am glad this amendment is here because it does unmask the issue.

Mr. Chairman, I yield the balance of my time to the distinguished gentleman from Florida (Mr. CURBelo).

Mr. CURBelo of Florida. I thank my colleagues for yielding.

Mr. Chairman, I rise in opposition to the Farr amendment.

Section 540 is critical in ensuring that exports to Cuba reach and benefit the Cuban people, not the regime's military and intelligence services, which actively and aggressively collaborate with our enemies throughout the world. Still today, Cuba has one of the most robust spy networks in the United States. These are not the people we should be rewarding with American business.

The most recent State Department report on Cuba's human rights conditions, arbitrary arrests, selective prosecution, and the denial of fair trials continue in the country.

The iron fist of the Castro regime has cracked down on democratic activists with over 2,000 dissidents arrested since the President's December 17 announcement. Just this past Sunday, 59 members of the Ladies in White were arrested along with 25 other human rights activists who criticized the regime? It was attending Sunday mass, Mr. Chairman.

The oppression is not limited to Cuba's borders. According to high-level military defectors from Venezuela's Government, there are between 2,700 and 3,000 Cuban military and intelligence agents aiding in the crackdown against Venezuelan protesters and opposing American interests in that country.

These are the thugs—the very individuals—who would most benefit from the Farr amendment.

Mr. Chairman, I understand that there is a diversity of views in this Chamber with regard to our broader Cuba policy. What I cannot understand is why anyone would want to reward the individuals responsible for the deaths of Americans, for the oppression of the Cuban people, for spying against our country. I respectfully ask my colleagues to oppose the Farr amendment.

Mr. FARR. Mr. Chairman, rhetoric is really cheap here, but I would urge Members to read the bill and to read the second term. It reads:

"The term "Cuban military intelligence service" includes but is not limited to the Ministry of Interior of Cuba and any subsidiary of such ministry. The term "immediate family" means spouse, sibling, son, daughter, and so on.

The analysis by our own Library of Congress says that this would severely hurt the consumer communication devices that would be sent to families in Cuba as part of the motivations that are going on right now between the United States and the administration.

It would also hurt materials, equipment, tools used by the private sector to construct or to renovate privately owned buildings, tools and equipment for private sector agriculture activity, tools and equipment and supplies and instruments used by the private sector.

This provision just kills the ability for the United States to open up trade that every other country has. This is just a "family feud" amendment. This is not good business, and that is why the business community is opposed.

Mr. Chairman, how much time do I have remaining?

Mr. CULBERSON. Mr. Chairman, I want to point out the language Mr. FARR is attempting to strike.

It reads:

No funds made available to do business with the Cuban military or the intelligence services.

The only thing standing between President Barack Obama's attempt to override the will of the people as expressed by Congress, which is we will not do business with Cuba, is the Federal law. President Obama is attempting to change that.

The only thing stopping President Obama from doing business with Cuba is this language, and the language says
you cannot do business with the Communist military in Cuba or with the Communist intelligence services. It is very straightforward. If you want to do business with the private sector in Cuba, go ahead. All this says is that you would not do business with the Communist military or with the Communist intelligence services. Therefore, we urge Members to vote "no" against this amendment.

The Acting CHAIR. The time of the gentleman from Florida has expired.

Mr. FARR. It is very interesting that the capitalist society out there supports my amendment; the U.S. Chamber of Commerce, the National Foreign Trade Council, Engage Cuba, the Emergency Committee for American Trade. They wrote a letter that they urge the House Members to strip section 540 from H.R. 2578, the Commerce, Justice, Science, and Related Agencies Appropriations Act.

The provision would turn back the strategic effort to normalize relations between the U.S. and Cuba, harming advantages that increase commerce with Cuba. The majorities of Americans, Cuban Americans, and Cubans support the normalization of relations and any unilateral trade embargo.

Bipartisan support exists in both the House and the Senate and throughout the businesses community and with the majority of the civil society focused on Cuba. The question of Cuba policy should be approached deliberatively and in the full context of hemispheric relations.

I urge the support of this amendment.

The Acting CHAIR. The time of the gentleman has expired.

Mr. PATTIAH. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. PATTIAH. Mr. Chairman, we spend a lot of time making something simple complex. The problem here is that, in a small nation, an island like Cuba, trying to discern whether somebody is related—a cousin, a nephew, a so-and-so who might work for some entity—is very problematic.

What this restriction would basically mean is that you wouldn't be able to do any business. That is notwithstanding everything else; notwithstanding the failure of the last 50 years, notwithstanding the fact that everybody else in the world is doing business in Cuba, this language would prevent us from being able to do any business there because you would not be able to determine whether there was a blood connection between some person you were selling a cell phone to and someone who, at some point, was a grunt in the military.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. FARR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FARR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 2 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The Clerk will read.

The Clerk reads as follows:

SEC. 541. None of the funds made available by this Act may be expended during fiscal year 2016 for the shutdown of the Stratospheric Observatory for Infrared Astronomy or for the preparation therefor.

SPENDING REDUCTION ACCOUNT

SEC. 542. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

Amendment offer by Mr. SCHWEIKERT

Mr. SCHWEIKERT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR (Mr. CURBelo of Florida). The Clerk will report the amendment.

The Clerk reads as follows:

At the end of the bill (before the short title), the following:

Scc. ... None of the funds made available by this Act shall be used to transfer cell site simulators, or IMSI Catcher, or similar cell phone tower mimicking technology to state and local law enforcement that haven't adopted procedures for the use of such technology that protects the constitutional rights of citizens.

Mr. CULBERSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. SCHWEIKERT. Mr. Chairman, I will try to make this very quick because I know there is a point of order.

This was one of those moments where there was a concern about new adopted technology. We have all heard the stories of some of these, shall we call them, dummy cell sites that are basically used to capture the phone calls because they produce the largest, most powerful signal. Now, some of this technology that has been used at the Federal Government level is being transferred to State and local law enforcement.

The amendment is meant to be very simple and just says for the Federal Government to design, for Justice to design, protocols that the constitutional rights are being protected, that if a local law enforcement is going to use this capture technology, that they better darn well be following the Constitution. That technology is transferred, that there is an understanding, mechanics of that being laid out.

We tried to make the amendment as simple and clear-cut as possible.

Mr. Chairman, I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I rise to make a point of order against the amendment, reluctantly, because I agree with the gentleman's amendment because I share his concern about privacy matters; but because the amendment proposes to change existing law, it constitutes legislation in an appropriations bill. It, therefore, violates clause 2 of rule XXI.

I do share the gentleman's concern. I think it is very important that, as the House debates these matters, that we remember that our most important right as Americans is to be left alone and our right of privacy. I am deeply concerned about these cell phone towers that are spoofed, that are designed to spoof our phones, and the government intruding into our zone of privacy that is now compromised by these electronic devices in so many ways.

However, House rules state in pertinent part: "An amendment to a general appropriations bill shall not be in order if changing existing law."

This amendment does require a new determination by its express terms, and while I will certainly work with the gentleman as we move forward in conference to address this concern, make sure our privacy rights are protected, I do ask at this time for a ruling from the Chair on the substance of my point of order.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

The Chair recognizes the gentleman from Arizona.

Mr. SCHWEIKERT. Mr. Chairman, with the chairman's friendship and commitment and where he is on understanding the importance of the issue, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

Amendment offer by Mr. ENGEL

Mr. ENGEL. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

At the end of the bill (before the short title), insert the following:

Scc. ... None of the funds made available by this Act may be used by the Department of Commerce, the Department of Justice, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.
Mr. ENGEL. Mr. Chairman, on May 24, 2011, President Obama issued a memorandum on Federal fleet performance that required all new light-duty vehicles in the Federal fleet to be alternative fuel vehicles, such as hybrid, electric, methane or biofuel, by December 2016.

My amendment echoes the President’s memorandum by prohibiting funds in this act from being used to lease or purchase new light-duty vehicles unless that purchase is made in accordance with the President’s memorandum. I have submitted identical amendments to 16 different appropriations bills over the past few years, and every time they have been accepted by both the majority and the minority, so I hope my amendment will receive similar support today.

Global oil prices are down. We no longer pay $147 per barrel. But despite increased production here in the United States, the global price of oil is still determined by OPEC. Spikes in oil prices have profound repercussions for our economy. The primary reason is that our cars and trucks run only on petroleum. We can change that with alternative technologies that exist today. The Federal Government operates the largest fleet of light-duty vehicles in America, over 633,000 vehicles. Nearly 50,000 of these vehicles are within the jurisdiction of this bill, being used by the Department of Commerce, Department of Justice, and the National Science Foundation.

When I was in Brazil a few years ago, I saw how they diversified their fuel by greatly expanding their use of ethanol. People there can drive to a gas station and choose whether to fill their vehicle with gasoline or with ethanol or some other mix. They make their choice based on cost or whatever criteria they deem important. I want this same choice for American consumers.

That is why I am proposing a bill this Congress, as I have in the past, which will provide for cars built in America to be able to run on a fuel instead of, or in addition to, gasoline. It doesn’t cost much at all; and if they can do it in Brazil, we can do it here.

In conclusion, expanding the role these alternative technologies play in our transportation economy will help break the leverage that foreign government-controlled oil companies hold over Americans. It will increase our Nation’s domestic security and protect consumers. I ask that my colleagues support the Engel amendment. I reserve the balance of my time.

Mr. CULBERSON. Mr. Chair, I claim the time in opposition, but I do not oppose the gentleman’s amendment and would urge its adoption.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. I yield to the gentleman from Pennsylvania (Mr. FATTAH), my friend from Philadelphia. Mr. FATTAH. We had a big celebration at the Ben Franklin Institute in Philadelphia for electric cars, and there was such a variety of vehicles. Alternative fuels are important. I think that the gentleman’s amendment is one that we have accepted in previous appropriation bills, and I concur with the chairman that we would accept it in this case.

Mr. CULBERSON. I urge Members to support the amendment and urge its adoption.

I yield back the balance of my time. Mr. ENGEL. Mr. Chairman, I conclude and say I thank my colleagues and look forward to continuing to work together with them in a bipartisan fashion for the good of the American people.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas, has an amendment at the desk regarding the Fourth Amendment to the Constitution, with multiple cosponsors.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

At the end of the bill (before the short title), insert the following:

Sec. __. (a) Except as provided by subsection (b), none of the funds made available by this Act for the Department of Justice or the Federal Bureau of Investigation may be used to mandate or request that a person (as defined in section 101(f) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(m)) alter the product or service of the person to permit the electronic surveillance (as defined in section 101(f) of such Act (50 U.S.C. 1801(f)) of any user of such product or service.

(b) Subsection (a) shall not apply with respect to mandates or requests authorized under the Communications Assistance for Law Enforcement Act (47 U.S.C. 1001 et seq.).

Mr. POE of Texas (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading of the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POE of Texas. Mr. Chairman, I have a simple, straightforward amendment to protect the Fourth Amendment of the U.S. Constitution. This is a very similar amendment that passed DOD Appropriations last year.

I would like to thank Representatives LOFGREN, MASSIE, CONYERS, AMASH, NADLER, FARENTHOld, POLIS, LABORAD, and LIEU for working with me as cosponsors on this important amendment.

James Comey, the Director of the Federal Bureau of Investigation, recently asked Congress to update the law to ensure that the Federal Government can access information from Americans’ cell phones and personal electronic devices in the future.

Many U.S. technology companies have also been approached by the government and agreed to either through intimidation or just request to create back doors on their products’ encryption system so the government can access it later down the road. We have all learned recently about the government’s abuse of section 215 under the PATRIOT Act and abuse under section 702 of the FISA Amendments Act.

Basically what this amendment does, Mr. Chairman, is prohibit the government from going to Apple, for example, and telling Apple that they want an encryption in cell phones that they sell to Americans, an encryption that would allow the FBI to have access to this information, which would include all conversations, not just include emails, but it would also include text messaging as well.

This is a straightforward amendment. This prohibits the Federal Government—specifically, the FBI—from going to Apple and receiving this information. Privacy is important. It is under our Constitution. There should be no doubt that the Federal Government should have no access to our cell phones and the information that is in those cell phones. That is what this amendment does.

I reserve the balance of my time.

Mr. CULBERSON. I ask unanimous consent to claim the time in opposition, but I do not oppose the gentleman’s amendment. I agree with his amendment and encourage the House to support it.

Ms. LOFGREN. Mr. Chairman, reserving the right to object.

The Acting CHAIR. The gentleman from California is recognized on her reservation.

Ms. LOFGREN. Mr. Chairman, I had also sought to seek the time in opposition, although I also do not oppose the amendment.

Mr. CULBERSON. Does the gentleman support the amendment?

Ms. LOFGREN. I support the amendment, as does the gentleman.

Mr. CULBERSON. That was my point. I think it is important. We are here in this Chamber looking at George Mason, who refused to sign the Constitution because he was so concerned that the power of the Federal Government would just absolutely obliter ate — I quote — the people.

The Acting CHAIR. The gentleman will suspend.

Does the gentleman withdraw her reservation?

Ms. LOFGREN. Mr. Chairman, further reserving, I was wondering if the Democratic side of the aisle might be able to split the time. That is why I was reserving the right to object.

Mr. CULBERSON. Mr. Chairman, I would be happy to split the time with...
Ms. LOFGREN. I withdraw my reservation.

The Acting CHAIR. The reservation is withdrawn.

Without objection, the gentleman from Texas (Mr. CULBERSON) is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, my neighbor and good friend, Judge Ted Poe, brings a very important point to the floor tonight.

In this new era of expanding technology that now intrudes on every aspect of our lives, it is very important to remember the admonition that Benjamin Franklin gave us—that those who would surrender a little freedom to gain a little safety are soon going to find themselves with neither.

I do find it instructive that we are here on this House floor looking at George Mason, who is on the right here, who refused to sign the Constitution because he was so concerned the Federal Government would become omnipotent and obliterate the rights of individuals and the rights of the States to control those issues that deal exclusively with the States.

My favorite Founding Father, Thomas Jefferson, was keenly aware of and concerned about the power of the Federal Government. We are entering into a whole new era now where the government has got the ability to intrude on every aspect of our life. I share Judge Poe’s concern. I support his amendment, and I urge the House to support it. If the FBI has a court order, if the National Security Agency gets a court order, I believe they could get access to what they need to get access to. Just like cracking a safe.

In fact, I asked this question, if I could, of Director Comey in front of our subcommittee. He said these new iPhones—I dropped my iPhone 5 and had to get a 6—he said these can’t be cracked here, you would have to open them up like you would a safe, as you had to order safe. I bet, opened on occasion, Judge Poe.

So I agree with the amendment, and I yield the balance of my time to the gentleman from California (Ms. LOFGREN).

Ms. LOFGREN. I thank the gentleman for yielding.

As Mr. Poe recognized, this is a very diverse group of authors who don’t agree on everything, but I think we agree on this, that there is an exception in here that if the government gets a court order, they can in go in and put a back door on the phone when the judge says there is a compelling reason to do so.

I yield to the gentleman.

Mr. POE. Mr. Chairman, I just want to reaffirm that, as Judge Poe has written this amendment, there is an exception in here that if the government gets a court order, they can go in and put a back door on the phone when the judge says there is a compelling reason to do so.

I yield to the gentleman.

Mr. POE. The law—the Constitution—still applies that the government must go and get a warrant based on probable cause under the Fourth Amendment. Of course, there are exceptions to warrantless search.

Mr. CULBERSON. Reclaiming my time, the way the amendment is written, the government can’t just force all phone companies to build a back door into all telephones. You have got to have a court order on that specific phone on that specific person, before you can do it. That is absolutely reasonable. That is what Mr. Madison and Mr. Jefferson intended for us to do.
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Therefore, I support the gentleman’s amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. Poe).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

At the end of the bill (before the short title), insert the following:

Sec. 500. None of the funds made available by this Act may be used to execute a subpoena of tangible things pursuant to section 506 of the Controlled Substances Act (21 U.S.C. 876) that does not include the following sentence: “This subpoena limits the collection of any tangible things (including phone numbers dialed, telephone numbers of incoming calls, and the duration of calls) to those tangible things identified by a term that specifically identifies an individual, account, address, or personal device, and that limits, to the greatest extent reasonably practicable, the scope of the tangible things sought.”

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, here in Congress we have just been spending a lot of time and energy discussing NSA surveillance. The American public, and many Members of Congress in both Chambers—have spoken clearly that the kind of bulk data collection the NSA has engaged in needs to be stopped. However, there is a corresponding change that we need to make with regard to the Drug Enforcement Administration.

In a series of revelations from 2013 to 2015, it came to light that the DEA had for more than 20 years been gathering a vast database of information on American communications. There was no congressional authority for this program and no oversight by Congress or any area of the Federal Government.

Legal experts who weighed in after the program was finally made public have said without hesitation that the program was illegal.

In 2013, the Department of Justice brought this program to an end, but there is nothing to stop the government from resuming it at will unless Congress acts by inserting this language in the appropriations bill. Without this language, the DEA could once again unilaterally sweep up the communications records of millions of Americans.

There is no reason that, as we work to end the unconstitutional surveillance that the NSA has engaged in, we should continue to allow the DOJ to have the very same abuse.

The following piece of legislation to something that already passed the House with regard to the NSA by an overwhelming majority.

I urge my colleagues to support our bipartisan amendment that we worked on with Mr. GRAFFITH, Mr. SCHWEIKERT, Mr. NADLER, and Mr. FARENTHOLD to simply prohibit DOJ from using Federal funds to engage in bulk data collection of Americans’ phone records or other data, and I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I oppose the idea of bulk data collection. I would like to accept the gentleman’s amendment because of my previous expressed concerns about how we want to make sure we are protecting the privacy of law-abiding Americans.

So I would accept the gentleman’s amendment with the understanding that I would work with him. There may be unintended consequences here that I don’t fully understand. The Judiciary Committee staff is working with ours right now to make sure we have got our arms around this.

I want to make sure that if the DEA has a valid court order, a valid subpoena, that they can go after lawbreakers and complete their investigations. Again, we want to protect the privacy of law-abiding Americans.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I think with the understanding that the chairman has laid out, your accepting this amendment would move us forward, and I agree. I think we have a clear understanding that you are accepting it, but we will work together to make sure it doesn’t have any unintended consequences.

Mr. CULBERSON. Reclaiming my time, with that understanding, I want to make sure the right of DEA to get a court order to do their work. With that understanding, I withdraw my opposition and will accept the amendment.

I yield back the balance of my time. Mr. POLIS. I yield 1 minute to the gentleman from New York (Mr. NADLER), the coauthor of the amendment.

Mr. NADLER. I thank the gentleman for yielding.

I rise in strong support of this amendment to prevent bulk collection of data at the Department of Justice.

Last month, this House spoke loud and clear that we oppose the National Security Agency’s bulk collection of telephone metadata. Today, the Senate joined us in that judgment, and, together, we have reaffirmed our commitment to the Fourth Amendment and to protecting Americans from unconstitutional government surveillance.

We learned earlier this year that long before the NSA program ban, the Drug Enforcement Administration engaged in its own bulk collection program that provided a model for the NSA to use nearly a decade later. This program included log of virtually all telephone calls from the U.S. to as many as 116 countries, ostensibly linked to drug trafficking, all without a court order and without authorization from Congress.

Mr. Chairman, enough is enough. Although the DOJ has since shut down this program, there is nothing preventing the Department from renewing it in secret without authorization, as it did before. This amendment would ensure that it remains dormant and that Americans’ privacy remains secure.

I thank Mr. POLIS and the other cosponsors of the amendment, and I thank the gentleman from Texas for accepting this amendment. I urge my colleagues to support this amendment.

Mr. POLIS. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Mr. Chairman, I rise in support of this amendment and thank my colleague from Texas for agreeing to accept it.

This has been a great victory this week in our ability to work with the Senate to rein in what I believe to be the unconstitutional bulk data collection by the NSA.

Just because we stopped the NSA doesn’t mean we shouldn’t be ever vigilant. With the reports of the DEA engaging in similar activities, it is absolutely appropriate that we use the power of the purse to ensure that this type of spying on American citizens—this bulk data collection—is stopped.

This is no different from the general warrants that were complained about when the King of England would send troops to rifle through people’s desks just looking for stuff. It is the exact same thing in the digital age. I encourage my colleagues to support it and look forward to working with my colleague, Mr. CULBERSON, in making sure it does become part of this bill.

Mr. POLIS. In conclusion, I want to thank the gentleman from Texas (Mr. CULBERSON). It is, indeed, the intended language and we believe the actual language of the amendment that would not interfere with any valid court orders or warrants. We are happy to work with them in that regard.

The amendment is designed to prevent bulk collection of data, which was never specifically authorized by Congress.

I appreciate the gentleman from Texas accepting the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:
At the end of the bill, before the short title, insert the following:

Sec. ___. (a) Each amount made available by this Act, except those amounts made available to the Federal Bureau of Investigation, is hereby reduced by 1 percent.

(b) The reduction in subsection (a) shall not apply with respect to the following amounts:
   (1) "Fees and Expenses of Witnesses".
   (2) "Public Safety Officer Benefit".
   (3) "United States Trustee System Fund".

The Acting CHAIR. Pursuant to House Resolution 297, the gentlewoman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, first of all, I want to begin by thanking the committee and Chairman CULBERSON for their tremendous work that they have put into this bill, identifying ways to reduce spending and to be a good steward of the taxpayers’ money. This is a $63.4 billion and, I would like to point out that that is $661 million below the President’s request. Good work on behalf of our team.

Now, I am one of those that thinks more is possible to be done, especially when we look at the discretionary spending. There is more we should do. My amendment calls for a 1 percent across-the-board spending reduction. That would reduce the budget authority by $540 million and outlays by $940 million in Fiscal Year 2015.

I am fully aware of the opposition that exists to across-the-board cuts by many of the appropriators, and I have many times stood on this floor and heard how they think this is just a little bit of a cut too much.

However, we are nearly $18.3 trillion in debt. Indeed, Admiral Mullen, on July 6, 2010, said the greatest threat to our Nation’s security is our Nation’s debt.

Getting our spending under control is an important step for us to take. That is why we need to move forward and do what many of our States have done and institute across-the-board cuts to save one penny out of a dollar.

Engage the rank-and-file Federal employees. Have them bring to the table their best ideas. Our children are depending on us to do this in order to maintain the fiscal sovereignty of our Nation.

Mr. Chairman, I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. It is important for the House to oppose this amendment because, as in our personal lives or our business lives, the Appropriations Committee has prioritized the very precious and scarce, hard-earned taxpayer dollars that we are entrusted to appropriate and assure that they are spent on the most urgent priorities first.

We do not want to cut, as Mrs. Blackburn would, the FBI. We do not want to cut our operations of our cybersecurity forces, as Mrs. Blackburn would. I do not want to cut the work that is being done by our law enforcement officials across the country, as Mrs. Blackburn would.

This amendment that we would also cut, for example, the good work that is being done by the U.S. Marshals Service. This would cut the 55 new immigration judges that we have included in the bill. This would cut the amount of money we set aside for the operation of our prison system, of the ATF, all Federal law enforcement agencies that perform such a vital role. We prioritized them and made sure they are protected from cuts.

I would oppose this amendment on the basis that we do not want to cut Federal law enforcement. We also don’t want to cut our Nation’s investment in the sciences and the National Science Foundation or our work to preserve America’s leadership role in space exploration.

We want to make sure that we are doing all that we can to accelerate our work in bringing American astronauts back into space on an American-made rocket as quickly as possible. This amendment would cut NASA.

We have, in the bill, however, cut, 1 percent eliminated dozens of programs that their authorization has expired—or their usefulness has expired. We went in and dramatically cut programs that were not effective anymore, completely eliminated programs.

We found all kinds of savings in this bill, and I am sure that our priorities are ones that the good people of Tennessee that Mrs. Blackburn represents would share. I know her constituents share, as we do, a commitment to law enforcement, to science and the National Science Foundation or our work to preserve America’s leadership role in space exploration.

We want to make sure that we are doing all that we can to accelerate our work in bringing American astronauts back into space on an American-made rocket as quickly as possible. Taking the step of a 1 percent cut, you are talking about $540 million in budget authority and $940 million reduction in outlays. It is a goal that we should set for ourselves. It is doable. It is attainable.

We should take a playbook and a lesson from the States and the counties and communities that we represent and make the effort to reduce the spending just a little bit more.

Madam Chairman, I yield back the balance of my time.

Mr. CULBERSON. Madam Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR (Ms. FOXX). The gentleman from Texas has 2 1/4 minutes remaining.

Mr. CULBERSON. Madam Chairman, I want to point out also that the amendment before us would cut 1 percent from eliminating the backlog of rape kits that are piling up in local police departments all over the country. We increased funding to eliminate that backlog of rape kits.

We increased funding to help forensic labs at the local level. We increased funding to make sure that programs to prevent violence against women are fully funded. This amendment would cut those funding increases for violence against women.

It is not the annual appropriations bill that is the biggest part of the problem. All of us need to recognize that we have got to look at the entire Federal budget.

The annual appropriations bill only represents one-third of the problem. The other two-thirds of the problem is automatic mandatory problems: the looming bankruptcy of Medicare, the looming bankruptcy of Social Security and Medicaid, the incredible
burden that ObamaCare has placed on individual Americans—it threatens to bankrupt the entire healthcare system—the national debt, and the interest on the national debt.

The American taxpayers are, indeed, taxed too much, but the biggest part of the problem is on the automatic programs that are consuming two-thirds of the Nation’s resources.

In fact, if you pay off all those existing—just paying for these existing programs, the mandatory programs, which you have to think of as America’s mortgage and interest payments, once you pay Social Security, Medicare, Medicaid, interest on the debt, veterans benefits, you are only left with $689 billion to run the entire Federal Government, which is enough money to run the government through July 27. “National credit card day” is what I call it. July 27 is the day when we run out of existing revenue, and we are living on borrowed money to be paid off by our kids.

A far better way to deal with this problem is to deal with the looming bankruptcy of Medicare, Social Security, and to deal with the national debt and deficit, the two-thirds of the problem out there, and not look at some 1 percent cut on the one-third of the budget that we have already prioritized and cut everywhere we possibly can while protecting law enforcement. We are protecting our investment in the sciences and space exploration.

I urge the Members to reject this amendment, and I would urge the gentlewoman from Tennessee (Mrs. BLACKBURN) to work with us throughout the year as we develop these appropriations bills and help us find cuts in programs and prioritization of funding, rather than bringing the amendment to the floor at the last minute.

I urge Members to vote against this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

AMENDMENT OFFERED BY MR. SCOTT OF VIRGINIA

Mr. SCOTT of Virginia. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

Sec. 1... The amounts otherwise provided by this Act are reduced by the amount made available for Federal Prison Systems—Salaries and Expenses, and increasing the amount made available for Office of Justice Programs—Office of Juvenile Justice Delinquency and Prevention, by $9,515,000.

Mr. CULBERSON. Madam Chairman, I reserve a motion of order against the gentleman’s amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. SCOTT of Virginia. Madam Chair, I yield myself 2 minutes.

Madam Chair, I offer an amendment that I am offering today would repurpose just 1 percent of the funding for the Federal prison system and restore funding for the Office of Juvenile Justice and Delinquency Prevention.

Madam Chair, the underlying bill zeroes out both title II formula grants and title V discretionary grants for prevention and early intervention programs, which were funded last year at approximately $70 million. To ensure that our State juvenile justice systems are not irreparably damaged this amendment would take just 1 percent away from our Federal prison systems, approximately $70 million, to maintain our commitment to prevention and early intervention.

The prison system can take steps to deal with this reduction by limiting duplicate prosecutions or pursuing evidence-based alternatives to incarceration, particularly for first-time offenders. These practices not only will save money, but will also improve public safety.

We have a choice, Madam Chair. We can invest in prisons after the fact, or we can invest in prevention and early intervention before the fact and eliminate what the Children’s Defense Fund calls the Cradle to Prison Pipeline.

Madam Chair, at this point, I yield 2 minutes to the gentleman from California (Mr. CARDEÑAS).

Mr. CARDEÑAS. Madam Chair, I appreciate the opportunity to speak to my colleague and friend Congressman SCOTT’s amendment and to encourage this body to restore critical funding for the Office of Juvenile Justice and Delinquency Prevention.

This existing appropriations bill decimates funding for title II State formula grants and title V local delinquency prevention programs which are essential investments that are proven to reduce crime.

This amendment would provide $9,515,000, the equivalent of less than 1 percent of the Federal prison budget, which is a small investment when you consider the cost of incarcerating a youth is an average of $88,000 per year.

That is hundreds of dollars a day to incarcerate a youth. Evidence-based alternatives to incarceration for youth costs as little as $11 per day.

These proven juvenile crime prevention methods cost pennies compared to the incarceration of our young people. Members from both parties have espoused the importance of investing in our children. Conservative organizations have been among the loudest advocates for reforming our criminal justice system—in particular, for our younger people—to move from an incarceration-based system to one that funds proven research-based alternatives to putting behind bars America’s children. There is a bipartisan consensus on this, ladies and gentlemen.

This amendment will be withdrawn. I hope we can work together to fund these critical programs to give our children the opportunity to be productive members of our communities, reduce crime, and save billions of tax dollars going forward.

Mr. SCOTT of Virginia. I reserve the balance of my time.

Mr. FATTAH. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Madam Chair, I would like to thank the ranking member of the Committee on Education and the Workforce for raising this important issue and assure him that it is my intention that we will be working between here and the final bill to improve upon this area in the bill.

I thank the chairman for all of his work in this regard.

I yield back the balance of my time.

Ms. LEE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Add, at the end of title V of the bill, the following:
such subsection. 

shall be reallocated under that program to

failure to fully comply with subsection (a)

Law Enforcement Block Grants Program,

Streets Act of 1968 (42 U.S.C. 3750 et seq.),

the State under subpart 1 of part E of title I

percent reduction of the funds that would

(A), shall, at the discretion of the Attorney

State that fails to comply with subsection

constitutional under the constitution of such

requirements of subsection (a) if compliance

good faith efforts to comply with such sub-

120 days, beginning on the date of enactment

forcement officers, the training session shall

In the case of individuals attending an acad-

training on ethnic and racial bias, cultural

ment be considered as read and printed

unanimous consent that the amend-

woman from California.

each will control 5 minutes.

The Chair recognizes the gentle-

The Acting CHAIR. Pursuant to

There was no objection.

The Acting CHAIR. Is there objection

We appreciate his candor and acknowledg-

Mr. CLAY. I thank the gentlewoman for her steadfastness and

member.

Ms. LEE (during the reading). I ask

I reserve a point of order on the gentle-

The Acting CHAIR. The gentleman

from Texas and a Member opposed each

I rise in opposition to the amendment.

I appreciate the gentlewoman’s with-

we must recognize our short-

required study serves as recognition that

James Comey’s February 12, 2015,

acceptable.

ment and court activities. Our law en-

$100 million dollar law enforce-

Grant Program is the primary provider

DOJ’s Byrne JAG

is the primary provider of Federal criminal justice funding to

(42 U.S.C. 3750 et seq.),

whether characterized as the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, the Local Government Law Enforcement Block Grants Program, the Edward Byrne Memorial Justice Assist-

Program, or otherwise.

(c) Amounts not allocated under a program

and the integrity of our neighborhoods.

in many congressional districts where many offi-

in the education of our communities and create and identify oppor-

Public Law 94-578.

70 percent of the funds that would otherwise be allocated for that fiscal year to the


state a point of order.

The Chair recognizes the gentlewoman from California.

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 237, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentle-

from Texas.

Mr. CULBERSON. Madam Chairman, I

I ask unanimous consent that the amend-

in the RECORD.

The Acting CHAIR. Is there objection to the request of the gentlewoman from California?

There was no objection.

AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas, our ranking member, to thank her that I am going to work with the

I appreciate his candor and acknowledg-

I appreciate the gentlwoman’s with-

The Acting CHAIR. Pursuant to House Resolution 237, the
gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Mr. POE of Texas. Madam Chair, I yield my self such time as I may con-

Madam Chair, we are all familiar with the Census that takes place every 10 years and the counting of the people in America. The Census Bu-

other communities that were counting of the people in America. The Census Bu-

requirement, but something
that they do called the American Community Survey, which is a partial sampling of about 3 million Americans a year. A survey is sent out, and I will read from this 28-page survey. It is 48 questions long, and the questions have nothing to do with how many people live in your house. Some of the questions are like this:

When do you leave for work?
When does your spouse leave for work?
When do your kids leave for school?
Does anyone suffer from a mental illness in the residence?
Does your house have a sink with a faucet?
Does anyone have trouble walking?
Does anyone have trouble getting dressed or bathed?

So there are 48 question like this, and failure to abide by and fill out this document and send it back to the Census Bureau could result in a fine.

Now, people in my district have called my office from all over the country about getting this thing in the mail and the harassment by the Census Bureau and subcontractors, including the fact that I have a single parent in my district that called and was complaining about the fact that the Census Bureau person would sit in the front of her house waiting for her to come home from work and then go to the door and peak through the windows trying to get her to fill out this page, or these 28 pages and send them back to the Census Bureau. So harassment takes place. And some people are threatened with a fine that is imposed for failure to abide by the survey.

Now, what this amendment does, it does not eliminate the American Community Survey. The ranking member and I had a discussion. I guess, about 5 hours ago on the House floor about whether it is a good idea or not. It doesn’t even stop the survey from being conducted.

All it does is prohibit the Federal Government from imposing a penalty for failure to fill out the survey. That results in the fact that people then can voluntarily fill out this form and send it back if they want to. If they don’t want to voluntarily have their privacy invaded by the government, then they don’t have to fill it back out and don’t have to worry about a fine.

That is what this amendment does: prohibits funding to allow the fine to be collected, thus making the survey voluntary.

With that, I reserve the balance of my time.

Mr. FATTAH. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Madam Chair, I support the gentleman’s last amendment. I strongly oppose this amendment.

It is impossible for me to conceive that we want to run the greatest country on the face of the Earth without data, without information, without knowledge of what the circumstances of the citizens of the country are—how many people are going to waiting to locate VA hospitals, all of the other information that is generated through this community survey.

Now, I note that there is talk about a fine, but we haven’t been able to identify anybody who has ever been fined. You know the Canadians moved to a voluntary system in their rural areas, they stopped getting almost any compliance.

If the Federal Government is going to plan in terms of Federal highways, in terms of Federal programming, and a whole range of items that flow through formal grants, not through earmarks, but by knowledge of what is happening in communities, these surveys are critical.

The idea that we would say we are going to run this great country, we don’t want any information, we are going to put on blindfolds and just kind of hope for the best when we are making public policy about education and housing and transportation needs or health care needs, it doesn’t make a lot of sense. It may have some popularity politically, but as a notion for actual intentional leadership for our Nation, to say that we want to separate ourselves from actual information about what is going on in these communities, I think that the gentleman, as right as he was in the original amendment that supported him on, in this particular matter I think he is headed in the wrong direction.

I would ask my colleagues—Democrats and Republicans—put the party aside, put the national interest first, and know for certainty that no person would ever—you are always talking about running the government like a business—no one would run a business without utilizing data to understand the marketplace.

At this point, I reserve the balance of my time.

Mr. POE of Texas. Madam Chair, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from Texas has 2 minutes remaining.

Mr. POE of Texas. Madam Chair, I yield 1 minute to the gentleman from Texas (Mr. CULBERSON), chairman of the committee.

Mr. CULBERSON. Madam Chair, I thank the gentleman.

I want to express my strong support for my neighbor, and good friend Judge Poe’s amendment because, again, our most important right as Americans is to be left alone.

In fact, the data, and I agree with my ranking member that this data is important, it can be collected as a part of the Census itself. Any really essential questions the Department of Commerce can include within the core questions of the Census. They don’t have to send this long intrusive and detailed and very invasive survey out to every American and subject Americans to the threat of a $10,000 fine if they don’t comply.

I strongly support the gentleman’s amendment as a further reflection of our commitment on this subcommittee and in this Congress to protect America’s right to privacy and to be left alone by their government, as Mr. Mason and Mr. Jefferson intended.

I would ask that this amendment be adopted that basically requires the American Community Survey to be voluntary, and that the fine that is allowed by law not be allowed or not be collected under this amendment.

I yield back the balance of my time.

Mr. FATTAH. Madam Chair, let me yield by just saying that I just want to make sure that because of some antipathy about, sometimes, anything that may emanate from this administration, I just want to make it clear...
that this was not some Democratic scheme here to gather up people's private information; that this is actually a legitimate activity of the Federal Government. It is one joined in by the Chamber of Commerce and other business organizations who tell us that this is vitally important.

I think just from a commonsense basis, we actually know as politicians, because when we are engaged in activities that are important, we try to get a lot of information. So we know it is important and it is actually important for making sure that Federal programs are focused on the priorities of your community. And if we don't have the knowledge of how many people need daycare slots or how many veterans there are or what the other circumstances are in a particular community, it is impossible to do the planning that is necessary.

I would ask that we reject the amendment that we should continue to use data as a basis to make informed decisions here at the national level.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FOSTER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FOSTER

Mr. FOSTER. Madam Chair, I have an amendment at the desk, offered jointly with the gentleman from New Jersey (Mr. GARRETT), my colleague.

The Acting CHAIR. The Clerk will read as follows:

The amendment is self-explanatory.

The Clerk reads as follows:

At the end of the bill (before the short title), insert the following:

Sect. 543. None of the funds made available by this Act may be used to fund any Experimental Program to Stimulate Competitive Research (EPSCoR) program.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Illinois and a Member opposed each other for 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. FOSTER. Madam Chair, every year, hundreds of billions of dollars is transferred out of States that pay far more in Federal taxes than they receive back in Federal spending—the so-called “payer States.” And this money is transferred into States that receive a lot more Federal spending than they pay in taxes—the “taker States.” This is an enormous and economically unjustifiable redistribution of wealth between the States.

The payer States can be characterized in a number of ways, but most of the payer States are large population States, while virtually all of the taker States are smaller, which means that they are overrepresented in the Senate. Over time, Senators from these States have inserted hundreds of programs that systematically steer money into the taker States. Our amendment takes a step to begin rolling back these taker State preferences by eliminating one of the most unjustifiable of them all: the Experimental Program to Stimulate Competitive Research, commonly referred to as EPSCoR.

EPSCoR was started as an experimental program in 1978 with the goal of redistributing Federal research dollars into States that traditionally received less than their “fair share” of NSF funding. However, because “fair share” was determined on a per State basis, rather than on a per capita basis, it has devolved into just another program that steers money into smaller States that already get far more than their fair share of Federal spending.

Since no allowance is made for whether the State has a big or a small population, the EPSCoR program systematically discriminates against researchers simply because they come from States with large populations. The EPSCoR States are hardly lacking for Federal largesse. According to the Tax Foundation, in a typical year, the EPSCoR States received approximately $80 billion more in Federal spending than they paid in Federal taxes.

How does one justify a program that excludes researchers in States like Florida or Texas, which over the past 3 years got only an average of about $7 per capita in NSF funding while steering money into States like Rhode Island, Alaska, and New Hampshire, which already got 5 times more?

Why should a researcher at Brown University in Rhode Island be eligible for a grant set-aside that is unavailable to researchers at SMU, FSU, UCLA, Rutgers, or Northern Illinois?

As a scientist, I find that it is not surprising that it is very difficult to find supporters for EPSCoR in the scientific community. Precious research funding would be far better spent in a competitive, merit-based process as it will be if our amendment is adopted.

Madam Chair, I yield 1 minute to the gentleman from New Jersey (Mr. GARRETT), the cosponsor of my amendment.

Mr. GARRETT. I thank the gentleman from Illinois (Mr. FOSTER) for his work on this issue. I am honored to serve alongside him on the Payer State Caucus as well.

Madam Chair, this program is yet another example of ineffective, wasteful redistribution programs that the taxpayers are compelled to financially support. The Foster-Garrett amendment would relieve the taxpayers of this burden.

Again, I thank Mr. FOSTER for his work in protecting the payer States, and I urge my colleagues to support this amendment.

Mr. FOSTER. I thank my colleague from New Jersey.

Madam Chair, I urge my colleagues to support this bipartisan amendment.

I yield back the balance of my time.

The Acting CHAIR. The amendment from Texas is recognized for 5 minutes.

Mr. CICILLINE. I thank the gentleman for yielding.

I now yield to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman for yielding.

Madam Chair, I rise in opposition to this amendment which would eliminate the EPSCoR program.

For more than 60 years, the National Science Foundation has provided academic research funding to colleges and universities around the Nation, and it has been critical to ongoing research that is essential to maintaining our competitive edge in scientific advancement.

The NSF’s Experimental Program to Stimulate Competitive Research, commonly known as EPSCoR, is an authorized program whose mission is to help balance the allocation of NSF and other Federal research and development funding to avoid the undue concentration of money to only a few States.

This successful program has had a profound impact on my home State of Rhode Island, allowing nine of our academic institutions to increase research capacity, to enrich the experience of their students, and to contribute to advances in a variety of fields.

Currently, 26 States, including Rhode Island, and 3 jurisdictions account for only about 10 percent of all NSF funding, despite the fact that these States account for 20 percent of the U.S. population.

EPSCoR has helped to stabilize this imbalance in funding and should continue to do so in the 2016 fiscal year and beyond.

In order to ensure robust academic research and outcomes across the country, geographic diversity in funding should be considered to ensure that we recognize the contributions of the particular experiences, knowledge, and perspectives of academics and institutions from every State. This amendment to
eliminate this successful program would be a step backward for the United States’ commitment to research and development.

Investments in critical programs, such as EPScOR, are essential to creating jobs, innovating for the future, maintaining our competitive edge in scientific research and a global economy.

I urge my colleagues to join me in strongly opposing this amendment.

Mr. CULBERSON. Madam Chair, I would ask unanimous consent to move “that the noes appeared to have it.”

Mr. FOSTER. Madam Chair, I demand a recorded vote.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. FOSTER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FOSTER. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

AMENDMENT OFFERED BY MR. GOODLATTE

Mr. GOODLATTE. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available in this Act may be used to pay the salaries and expenses of personnel of the Department of Justice to negotiate or conclude a settlement of Justice to require mandatory donations to restore money to activist groups which stood to gain from mandatory donation provisions were involved in placing those provisions in the settlements.

The committees raised concerns with the Department of Justice in 2014, but instead of suspending the practice, the Department doubled down. It recently entered into an over $50 million settlement relating to robo-signing; $7.5 million of that did not make it to victims.

Instead, it went to a third party. Incredibly, the settlement specifically provided that there would be no oversight of the money.

The situation is even more egregious when one considers that the required donation will nearly double the net assets of the DOJ-specified recipient. It is deeply troubling for that to happen at the unilateral discretion of the executive branch.

This amendment takes no money away from any organization. It is purely prospective. It ensures that settlement money goes either directly to victims or to the Treasury for elected representatives to decide how it is to be spent.

It is critical that we act. The Department of Justice is ignoring Congress’ concerns, increasing the use of third-party payments, even as we object. The purposes of such actions is punishment and redress to actual victims. Carrying that concept to communities at large or activist community groups, however worthy, is a matter for the legislative branch and is not to be conducted at the unilateral discretion of the executive.

This is fundamentally a bipartisan institutional issue. There was abuse of third-party payments in the Bush administration. This amendment is about preserving Congress’ appropriations authority. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. FATTAH. I claim the time in opposition to the amendment.

The Acting CHAIR. The Chair recognizes the gentleman from Pennsylvania for 5 minutes.

Mr. FATTAH. Madam Chair, I am not planning on strongly objecting to this, but I want to make a few points. One is that this is something that should be dealt with in an authorizing circumstance, but I think because it is on an appropriations bill, it could have unintended consequences.

As I understand the English of what is being said, an administration faced with, for instance, the Gulf oil spill could not have been involved in a settlement in which various entities received dollars to try to find redress for harm that was created in the Gulf. I think that that would be very problematic. There were a lot of stakeholders — fishermen, other associations, chambers of commerce, others — who received support through that settlement.

I just think we ought to be careful. It would probably be better that there be hearings and that there be an understanding around what this actually means.

I have offered my own bipartisan-supported legislation that would create a congressional framework for settlements and oversight. I am to the thrust of what is being said here.

I do recognize that there have been circumstances in past administrations. I am not aware of the instances that the chairman speaks of now, but I would just hope that moving forward, we would be mindful that this is probably the kind of thing that we really would want authors to handle and not have it picked into an appropriations bill at this time. Plus, if you really think that the executive branch is using their authority, the idea that they would then sign it away by signing our appropriations bill, if it is so meaningful to them, it might slow down the passage of our very important piece of legislation.

Mr. GOODLATTE. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Madam Chair, I think the gentleman is talking for his concern about this. I want to assure the gentleman that the language in this is designed to make it clear that it applies to donations and not to anybody who is a victim of a lawsuit where redress is sought for them because the compensation for them is not a donation. That is actual recompense for the harm that they suffered.

Mr. FATTAH. Madam Chair, I know the chairman is quite aware of how these words, “donation,” “mandatory,” “settlement,” so forth and so on, might be applied and abused in various ways.

Again, obviously, if this is something the majority wants to do, they will do it. I just think that it may have unintended consequences; and this administration, the next administration, and various administrations going forward, there should be a congressional framework for settlements. I have offered legislation that is bipartisan in that regard. I am not opposed to creating a congressional framework. I just think that we don’t want to have unintended consequences here if we can avoid it.

I yield back the balance of my time.

Mr. GOODLATTE. Will the gentleman yield?

Mr. CULBERSON. Madam Chair, I am not aware of the instances that the chairman speaks of now. I want to express my strong support for Chairman GOODLATTE’s amendment.

The words he has chosen have been chosen very carefully. A donation or contribution is just that. It is a gift. It is a donation. If the money is paid in compensation for an injury as a result of a claim, it is not covered. So the
Mr. CULBERSON. Madam Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. I yield to the gentleman from Virginia (Mr. GOODLATTE), the chairman of the Judiciary Committee.

Mr. GOODLATTE. I thank the chairman of the committee for yielding, and I rise to join him in opposition to this amendment.

Madam Chair, this amendment would undermine diversion control and thereby potentially increase drug abuse by creating a significant loophole in the system of controls established by the Controlled Substances Act.

The amendment would cause this highly problematic result by effectively exempting DEA registrants who dispense drugs for addiction treatment from the administrative oversight that would help to prevent regulatory violations before they occurred, and even more so, before criminal violations occurred. This is because Congress recognized that controlled substances, when abused, can have dangerous and sometimes deadly consequences, and thus that the widespread problem of drug abuse in the United States cannot be solved exclusively through criminal provisions of the Controlled Substances Act.

It also bears mentioning that this drug is highly subject to diversion, as it is a narcotic drug that is much sought after by many persons who are addicted to opiates and/or who seek to abuse opiates for nonmedical purposes.

Indeed, the heightened risk of diversion associated with dispensing of this drug to a drug-addicted patient population actually warrants greater scrutiny, not less scrutiny, than with many other categories of prescribed controlled substances.

So I urge my colleagues to vote against this amendment.

Mr. CULBERSON. I join in urging my colleagues to oppose this amendment on many grounds. It is also the fact that the issue at hand is being dealt with by the authorizing committees. This is not an appropriate place to handle it.
Mr. CARTER of Texas. Madam Chair, I yield back the balance of my time.
The chairman has asked for time. I yield such time as he may consume to the gentleman from Texas.

Mr. CULBERSON. I do want to express my strong support for the gentleman’s amendment. It is an appropriate and necessary additional protection for the States to regulate the cultivation of industrial hemp. The senseless classification of hemp as a schedule I drug contributes nothing to public safety; instead, it robs our farm economies of a potentially multibillion-dollar crop that is used to make everything from rope to soap. With less than 0.3 percent THC, marijuana, these State laws take a restraints on industrial hemp.

Mr. CULBERSON. I do want to express my strong support for the gentleman’s amendment. It is an appropriate and necessary additional protection for the States to regulate the cultivation of industrial hemp. The senseless classification of hemp as a schedule I drug contributes nothing to public safety; instead, it robs our farm economies of a potentially multibillion-dollar crop that is used to make everything from rope to soap. With less than 0.3 percent THC, marijuana, these State laws take a restraints on industrial hemp.

Unfortunately, the Federal Government stands in the way of family farmers who want to grow hemp. The senseless classification of hemp as a schedule I drug contributes nothing to public safety; instead, it robs our farm economies of a potentially multibillion-dollar crop that is used to make everything from rope to soap. With less than 0.3 percent THC, marijuana, these State laws take a restraints on industrial hemp.

The amendment would simply allow farmers to grow hemp in accordance with their own State’s laws. The amendment does not eliminate regulation in hemp cultivation; it simply divests the Department of Justice and the DEA of their ability to treat hemp like marijuana because hemp is not marijuana.

So far, 23 States have passed laws to allow farmers to grow hemp. Right now, farmers in states such as Colorado, Delaware, Hawaii, Illinois, Indiana, Kentucky, Maine, Maryland, Michigan, Missouri, Montana, Nebraska, New York, North Dakota, Oregon, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington, and West Virginia are waiting for the Federal Government to get out of the way.

Because the Department of Justice refuses to acknowledge what Washington and Jefferson knew, that hemp is an agricultural commodity and not marijuana, these State laws take a back seat to Federal overreach.

I urge my colleagues to support this bipartisan amendment, and I yield 1 minute to the gentleman from Kentucky (Mr. MASSIE), my cosponsor.

Mr. MASSIE. Madam Chair, I am very excited to report that, thanks to the farm bill amendment that allowed for pilot programs, we grew many pilot programs in Kentucky last summer; and this summer, there will be about 1,800 acres of hemp grown in Kentucky in pilot programs.

We have venture capital coming to Kentucky. I met with two companies in Kentucky that are investing in hemp, but the problem is right now they can only do the pilot programs. Yet they are still going to grow 1,800 acres of it in Kentucky alone. They grow 100,000 acres of industrial hemp in China. It is time to let our farmers have this opportunity. We need to take away the restraint that it is just a pilot program. We have addressed a lot of the concerns that people had last year before these pilot programs. Law enforcement are okay with hemp now. They have seen that it is not its cousin.

With that, Madam Chair, I urge passage and urge my colleagues to vote for this amendment.

Mr. FLEMIN. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. FLEMING. Madam Chair, the cultivation of cannabis for industrial purposes is governed by the Controlled Substances Act and permitted pursuant to the registration requirements found in title 21, United States Code.

Let’s face it, hemp is very closely related to cannabis. And DEA agents tell us that it is very difficult to detect, determine, and distinguish between hemp and marijuana, so it only makes their job more difficult. However, the Agricultural Act of 2014—and Mr. MASSIE has referred to this, I believe—permits institutions of higher learning and State departments of agriculture to grow or cultivate industrial hemp as defined in the statute for purposes of research conducted under an agricultural pilot program or other agricultural or academic research.

In short, we are studying it, and we are evaluating it, but we don’t have the results yet of those studies. I think it would be premature, especially considering the problem with the rapid expansion of the marijuana industry and the problems which I will speak about later this evening with marijuana and abuse by children and so forth. The last thing I think that we want to do now is to create more problems for enforcement for the DEA.

Madam Chairman, if we are going to study it, let’s study it, but I do not believe it is time that we remove these restrictions on industrial hemp. I reserve the balance of my time.

Ms. BONAMICI. Madam Chair, may I inquire into the amount of time remaining.

The Acting CHAIR. The gentleman from Oregon has 1½ minutes remaining.

Ms. BONAMICI. Madam Chair, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER), my colleague.

Mr. BLUMENAUER. Madam Chair, I appreciate the gentlewoman’s courtesy and her leadership on this issue.

Madam Chair, as a practical matter, industrial hemp is not marijuana. With less than 0.3 percent THC, it is not a drug. As a practical matter, it is not hard to distinguish it, and, in fact, it is sort of a myth that somehow people who will use industrial hemp to distinguish between hemp and marijuana. They don’t want that. It cross-contaminates. It makes it a less effective product.

We have a situation where the rest of the world deals with industrial hemp, whereas we have these counting products available to purchase today. It is just that Kentucky farmers or Oregon farmers can’t produce it. Last year the House overwhelmingly passed this amendment. We are starting down a path towards rationalization.

Twenty-thirty years ago we removed the barriers to production of industrial hemp. The Federal Government should get out of the way. Congress should
adopt this amendment and allow it to proceed.

Mr. FLEMMING. Madam Chairman, who has the right to close?

The Acting CHAIR. The gentleman from Oregon has the right to close since the gentleman from Louisiana is not on the committee.

Mr. FLEMMING. Madam Chairman, I would just say in conclusion that DEA tells me otherwise, that it is difficult to distinguish. It is a problem for them. They are the ones who have to enforce this. Also, there isn’t any product that you can get from hemp. Hemp production, industrial hemp is not abundant in many other programs, whether it is paper, rope, or what have you. So with that, it is not necessary. It is not some vital resource that we can’t do without. It does create and complicate problems when it comes to the enforcement of schedule I drugs such as marijuana.

Madam Chairman, I yield back the balance of my time.

Ms. BONAMICI. Madam Chairman, as we have heard this evening, it makes no sense that industrial hemp is legal to have and legal to use in manufacturing but can’t be grown by our own farmers. Right now the companies that are manufacturing with hemp have to import it from places like Canada and China. They should be able to grow it in their own country.

Please support this bipartisan amendment. Industrial hemp is grown differently from marijuana. It looks different. The enforcers can tell it apart. Let’s let our farmers grow industrial hemp. Please support this amendment.

I yield back the balance of my time.

Mr. POE of Texas. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. The amendment offered by Mr. Poe of Texas. Madam Chairman, I understand the amendment is going to be withdrawn. The amendment is withdrawn. But I think that the maker of the proponent amendment is correct that we need to move in this direction. We not only want to make sure that the backlog is ended and that we get bad people off the street; we also don’t want innocent people incarcerated for crimes they didn’t commit. So this is where the science can help.

But you are right that we need to make sure that there is specific direction. I thank the Chairman.

Mr. CULBERSON. And we can do that through oversight, and we will work very closely with you, Judge Poe, on this. And I thank you for your work on this effort. There is no penalty severe enough that can be imposed swiftly enough on anyone who would injure a woman or a child.

I understand the amendment is going to be withdrawn.

Mr. POE of Texas. I thank the chairman, and I also thank the ranking member.

What the amendment does—and I will work with the committee on this—is exactly what the ranking member said. In one word, it finds out “justice.” We free the innocent and we convict the guilty, but we can’t do it unless these rape kits are analyzed. So I hope the committee figures out a way to have the Justice Department do whatever they are supposed to do that Congress has already told them to do. Good luck with that.

Madam Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. ELLISON

Mr. ELLISON. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

At the end of the bill (before the short title), insert the following:

Sec. 2330. None of the funds made available by this Act may be used for the DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities for which funds are made available under this Act (part of the $25,000,000 for DNA-related and forensic programs and activities, unless such funds are used in accordance with paragraphs (3) and (4) of section 202 of the DNA Crimes Backbone Elimination Act of 2000 (Public Law 106-546; 42 U.S.C. 14135).

Mr. CULBERSON. Madam Chair, I reserve a point of order on the amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 237, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas. Mr. POE of Texas. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, Congress in the last several sessions has done. I think, an admirable job of dealing with this crime of sexual assault in the United States. Several pieces of legislation have passed the House, under several administrations, going all the way back to the Violence Against Women Act. More recently, under the Debbie Smith Act, SAFER legislation, here is what is taking place.

We now know because of DNA that old rape kits can be analyzed to determine who the suspect was that committed that sexual assault, generally against females, and that is a good development.

Because of that legislation, the Debbie Smith Act was passed; and the SAFER Act says that Debbie Smith, which grants funds to do rape kit backlogs, that 75 percent of that money, of those grants, will go to actually analyze backlog rape kits. Of those backlogs analyzed, go after the bad guys, find out who committed these crimes, and bring those 400,000 rape kits up to date by getting them analyzed.

This allows the Justice Department to follow the law. They are not analyzing these cases. There is still a backlog. They are spending the money, but they are spending it on other things like research rather than what the law says: analyze those cases.

Madam Chair, 75 percent of that money is to go to analyze that backlog of rape cases.

The amendment just tells the Justice Department to follow previous law, analyze those cases, use 75 percent of the money that is available to analyze those cases. That is what the amendment does.

I reserve the balance of my time.

Mr. CULBERSON. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas has recognized for 5 minutes. Mr. CULBERSON. Madam Chair, I strongly agree with the gentleman’s amendment and intend to work with him as we move through conference to address this problem in the way he suggests and make sure the law is complied with.

I understand the amendment may be withdrawn. Before the amendment is withdrawn, if I could address the merits of your amendment, I think you are exactly right. We plussed up funding for rape kits. We want to make sure that this backlog is taken care of as rapidly as possible. I know my friend from Philadelphia and the members of the committee who have expressed concerns. We want to make sure the backlog rape kits are cleared out as rapidly as possible and these criminals are taken off the street as rapidly as they can be. We want to make sure the Federal law is complied with, so I will work with you to make sure that through the oversight authority we have got on this subcommittee that the Department is enforcing the law as written by Congress and doing so aggressively.

Mr. FATTAH. Will the gentleman yield?

Mr. CULBERSON. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. I concur with your point of view, and I yield. The amendment is withdrawn. But I think that the maker of the proponent amendment is correct that we need to move in this direction. We not only want to make sure that the backlog is ended and that we get bad people off the street; we also don’t want innocent people incarcerated for crimes they didn’t commit. So this is where the science can help.

But you are right that we need to make sure that there is specific direction. I thank the Chairman.

Mr. CULBERSON. And we can do that through oversight, and we will work very closely with you, Judge Poe, on this. And I thank you for your work on this effort. There is no penalty severe enough that can be imposed swiftly enough on anyone who would injure a woman or a child.

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What the amendment does—and I will work with the committee on this—is exactly what the ranking member said. In one word, it finds out “justice.” We free the innocent and we convict the guilty, but we can’t do it unless these rape kits are analyzed. So I hope the committee figures out a way to have the Justice Department do whatever they are supposed to do that Congress has already told them to do. Good luck with that.

Madam Chair, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The amendment is withdrawn.
Mr. ELLISON (during the reading). Madam Chair, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIR. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 237, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

Mr. ELLISON. Madam Chair, I offer this amendment with the support of the chairpersons of the Congressional Black Caucus, the Congressional Hispanic Caucus, the Congressional Asian Pacific American Caucus, and the Progressive Caucus.

This amendment would prevent funding from law enforcement agencies that engage in discriminatory profiling based on gender, race, ethnicity, religion, sexual orientation, or national origin.

It would also prevent the use of funds to repeal the December 14 revised profiling guidance issued by the Department of Justice. Discriminatory profiling—it doesn’t help prevent crime. It creates a culture of fear and resentment within our community. It is contrary to the core constitutional principles, and the Federal dollars shouldn’t be spent perpetuating this activity.

I commend the work of Attorney General Holder to revise profiling guidance, and I believe that we must do more to close the remaining loopholes in profiling guidance.

You shouldn’t be able to profile at the border. You shouldn’t be able to map people without cause. You shouldn’t be able to use national security as an excuse to engage in prejudicial policing.

And we need comprehensive antiprofiling legislation like the End Racial Profiling Act introduced by the dean of this Congress, JOHN CONYERS.

In the absence of such comprehensive reform, we should at least prevent Federal funds from being used to discriminate against citizens.

I reserve the balance of my time.

Mr. FATTAH. Madam Chair, I claim the time in opposition, even though I am not actually in opposition.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. FATTAH. Madam Chair, I think that what we should be for is effective law enforcement techniques. We know by very empirical evidence that profiling does not work, and our experts in every aspect of law enforcement—local, State, and nationally—tell us that it doesn’t work. So I agree with the gentleman and I support his amendment.

I reserve the balance of my time.

Mr. ELLISON. Madam Chair, I will close and just say that racial profiling has no place, and we urge a “yes” vote for the amendment.

I yield back the balance of my time.

Mr. FATTAH. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ELLISON

Mr. ELLISON. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reported as follows:

At the end of the bill (before the short title), insert the following:

Sec. . None of the funds made available in this Act may be used to enter into a contract with any person whose disclosures of a proceeding with a disposition listed in section 2313(c)(1) of title 41, United States Code, in the Federal Awardee Performance and Integrity Information System include the term ‘Fair Labor Standards Act’.

The Acting CHAIR. Pursuant to House Resolution 237, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

Mr. ELLISON. Madam Chair, this is a very simple amendment which says that the moneys appropriated by the United States Congress should go to contractors who deal fairly with workers and who do not violate the Fair Labor Standards Act.

This particular amendment is not an allegation; it only applies to contractors who have been found in violation, who have been forced to disclose those violations based on the requirements of law and their violations of the Fair Labor Standards Act.

This amendment would prohibit the Federal Government from using funds in this bill to hire contractors with wage theft violations.

Madam Chair, we live in a time when it is so hard for workers all across this Nation to make a living. People go to bed at night calculating whether they are going to be able to meet their monthly expenses. If the work that they do can’t even be fully paid because they are victims of wage theft by an unscrupulous employer, I think that the Federal Government should not be doing business with that employer.

The fact of the matter is that in this proceeding that included the term “Fair Labor Standards Act,” it essentially blackballs any contractor who deal fairly with workers and who do not violate the Fair Labor Standards Act.

This amendment would prohibit the Federal Government from using funds in this bill to hire contractors with wage theft violations.

Mr. ELLISON. Madam Chair, I offer this amendment with the support of the chairpersons of the Congressional Black Caucus, the Congressional Hispanic Caucus, the Congressional Asian Pacific American Caucus, and the Progressive Caucus.

This amendment would prevent Federal contractors, some of them, certainly not all, but some have had a problem in this area.

A national employment law project found that nearly one in three low-wage contractors in the D.C. area reported stolen wages.

A report by the Senate Education, Labor, and Pensions Committee revealed that 35 percent of the largest Department of Labor penalties for wage theft were levied against Federal contractors.

Now, there are many excellent Federal contractors. These people should not have to compete with companies that circumvent the requirements of the law. In total, those Federal contractors who did had to repay employees $82.1 million in back wages for violations between 2007 and 2012. Despite these violations, many of these same companies received Federal contracts again in 2012.

The fact of the matter is that wage theft is wrong, and the people who engage in it shouldn’t receive Federal funds. I hope that all Members will agree that a dollar earned is a dollar that must be paid and that the United States of America only wants to do business with contractors that obey the law.

I reserve the balance of my time.

Mr. CULBERSON. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Madam Chairman, I share the gentleman’s concerns, but I think his amendment is written so broadly that it is going to have an impact far beyond anything he actually intended.

For example, if a very large company like Boeing ever failed to pay somebody overtime on time, the way his amendment is drafted, this would bar Boeing from ever doing any business with the Federal Government.

It would bar Lockheed, which is responsible for building the Orion spacecraft for NASA, and they are doing an extraordinarily good job in doing so.

It is almost inevitable. None of us are perfect. Everybody, somewhere or somehow, is going to make a mistake. It is just inevitable. In the way the gentleman’s amendment is drafted, the Federal Government could not hire any company that was ever dealt with in a proceeding that included the term “Fair Labor Standards Act.” It essentially blackballs any contractor who has ever had any violation of any kind, anywhere, anytime.

It is too broad. This is not the right place for it. You are going to do great damage to a lot of very good companies that have had very minor, one-time violations a number of years ago. I know that is not the gentleman’s intention, but the language before the House that he has drafted is very broad and has implications far beyond what I know he has laid out here tonight.
The bill, as written, would actually, I think, wind up with a lot of very good companies being unable to do business with the Federal Government, so I would ask Members to oppose the amendment.

I reserve the balance of my time.

Mr. ELLISON. Madam Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Minnesota has 1 1⁄2 minutes remaining.

Mr. ELLISON. Madam Chair, I just want to point out that the companies that the gentleman has identified ought to obey the Fair Labor Standards Act. Every company that does business with the United States Government ought to pay its workers fairly.

Federal contracts are lucrative, and Federal contracts make people rich. At the very least, those companies and those individuals who benefit from those contracts ought to make sure that their workers get paid properly.

The fact of the matter is that this is an appropriation from this year. It doesn't bar them in the future from applying for Federal contracts again, and if they should prove to have really cleaned up their acts, we can have a conversation about that.

I am afraid, Madam Chair, that if we do not pass this amendment, we will be telling all of the honest, hard-working contractors that you don't need to obey the law, that you can just do whatever.

Companies that don't obey the Fair Labor Standards Act and steal workers' wages actually gain a competitive advantage on the companies that do obey the law. I don't think that is anything that any one of us would like to see happen, so I would urge a "yes" vote on this; say "no" to wage theft.

I yield back the balance of my time.

Mr. POE of Texas. I thank Congresswoman Black for bringing it to the attention of the House tonight.

If they do not do that or they do it wrong, the ATF can come back later, look at the records, say "You left it blank on the record of the individual," and shut the business down.

Now, there are several problems with this new rule by the ATF. In order to avoid breaking this Federal regulation, the dealers then have to ask the customers their race, and when people are offended—and they get offended—they take it out on the dealers themselves.

We are not dealing with a measurement that requires the race of the gun purchaser. By placing an extra barrier of complexity between the law-abiding citizens and their right to own a firearm, I believe this intrusive reporting requirement sets up a direct challenge to the Second Amendment rights enshrined in our Constitution, not to mention the right to privacy.

I urge my colleagues to vote "yes" on this commonsense amendment so that we can reverse this latest regulatory overreach and ensure that fairness and privacy are upheld in our Nation's gun laws.

I yield back the balance of my time.

Mr. FATTAH. I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Before we finish with this, you will be able to have a weapon,
At the end of the bill, before the short title, insert the following:

Sec. 3. The amounts otherwise provided by this Act are revised by reducing the aggregate amount made available for “Federal Prison System—Salaries and Expenses”, by

Mr. RICHMOND (during the reading). Madam Chair, I ask unanimous consent to dispense with the reading of the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Louisiana?

Mr. RICHMOND. Madam Chair, which amendment is the gentleman offering?

My amendment today would simply bring the funding for Juvenile Justice back in line with the President’s request by funding one of the only programs left available in the bill, and that is mentoring. By increasing the role and capacity for mentoring programs across the Nation, we can have a true impact on children in every community.

With that, I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I will assert my point of order against the amendment, depending on what the gentleman intends to do.

Mr. RICHMOND. I only have one amendment, and it is the amendment to move $155 million from the Bureau of Prisons over to the Juvenile Justice program.

The Acting CHAIR. The Clerk will continue to read the amendment. The Clerk continued to read.

Mr. CULBERSON. Madam Chair, I reserve a point of order against the gentleman’s amendment.

The Acting CHAIR. A point of order is recessed.

Pursuant to House Resolution 287, the gentleman from Louisiana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. RICHMOND. Madam Chair, I rise today to talk about something that I would hope is important to both sides of the aisle, and that is our youth. Here in Congress we talk about how important education, public safety, strong communities, freedom, and prosperity. If we have a goal of keeping our children in school and on the path to success, cutting Juvenile Justice programs is going to go in the wrong direction.

We know that supporting programs that keep our children out of jail is one of the best investments we can make, and it gives us one of our highest returns on our investment.

On any given day in this country, there are over 70,000 juveniles in jail around the country. This incarceration is not cheap. We spend about $6 billion a year on juveniles in prison. Interactions with the criminal justice system at a young age can have a ripple effect that makes it harder for children to achieve success later.

Students who are arrested early in high school are six to eight times more likely to drop out of high school. What is more, children who are incarcerated are almost 40 percent less likely to graduate from high school and 40 percent more likely to be in prison at the age of 25. Finally, if someone with an arrest record as a juvenile does graduate high school, they are still only half as likely to enroll in a 4-year college.

In short, keeping our children out of jail has benefits to the children, their families, our communities, and to the Nation as a whole. This President realigned all of this when he made his budget request. That is why he requested more than $300 million for a variety of authorized programs aimed at improving public safety and keeping children on the path to college and careers instead of the path to prison.

Unfortunately, the bill in front of us calls for devastating cuts to these vital programs. The funding level in the bill is more than $155 million below the President’s request.

My amendment today would simply bring the funding for Juvenile Justice back in line with the President’s request by funding one of the only programs left available in the bill, and that is mentoring. By increasing the role and capacity for mentoring programs across the Nation, we can have a true impact on children in every community.

With that, I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I will assert my point of order against the amendment, depending on what the gentleman intends to do.

Mr. RICHMOND. I would like to know what the point of order is. I am just shifting money from one thing that is already in the budget to something that is already in the budget.

POINT OF ORDER

Mr. CULBERSON. The amendment is subject to a point of order on the basis that it proposes to increase an appropriation not authorized by law. Mr. Chairman, and, therefore, is in violation of clause 2(a) of rule XXI.

Although the original account funding for the Office of Juvenile Justice contains a number of programs that are unauthorized, it was permitted to remain in the bill pursuant to the provisions of the rule that provided for the consideration of this bill.

When an unauthorized appropriation is permitted to remain in a general appropriations bill, an amendment merely changing the amount is in order, but the rules of the House apply a “merely perfecting standard” to the items permitted to remain, and do not allow the insertion of a new paragraph that was not part of the original text permitted to remain to increase a figure that was permitted to remain.

This amendment proposes to add funding as a reach-back to an unauthorized program, and the amendment, therefore, cannot be construed as merely perfecting.

And therefore, Mr. Chairman, I ask that the Chair rule the amendment out of order.

The Acting CHAIR (Mr. STIVERS). Does any other Member wish to be heard on the point of order?

Mr. FATTAH. I understand the spirit of the chairman’s statement. I just
I want to comment that one of the things that we have done is we have worked over a number of years and doubled the amount of money going into youth mentoring. I think that the chairman and I agree with the spirit of your amendment and that it is a much more worthy investment for the country to keep our young people on the straight and narrow than to try to repair, as has been said, a broken adult.

We continue to have an interest in building this part of the appropriations bill. Notwithstanding the complicated set of rules relative to the authorized and the non-authorized portion, we continue to want to work with you as we go forward on this matter.

Mr. CULBERSON. I want to, if I could, express my support for the ranking member's comments, but I do need to assert the point of order.

Mr. RICHMOND. If the gentleman does not assert the point of order now, then what I will do is just wrap up and ask unanimous consent to withdraw my amendment.

Mr. CULBERSON. If the gentleman withdraws the amendment, I withdraw my point of order.

The Acting CHAIR. Does the gentleman seek to withdraw the amendment?

Mr. RICHMOND. I was going to close and use the remaining time and then withdraw the amendment.

The Acting CHAIR. A point of order is currently pending.

Mr. CULBERSON. I reserve my point of order. Once the gentleman withdraws, I will withdraw the point of order, but we do need to conclude this. We will work together with Mr. FATTAH on juvenile justice to keep young people out of prison.

The Acting CHAIR. Does the gentleman seek to withdraw the point of order?

Mr. CULBERSON. I reserve the point of order. I will withdraw the point of order, but we do need to conclude this. We will work together with Mr. FATTAH on juvenile justice.

The Acting CHAIR. The gentleman's earlier point of order is withdrawn. A point of order is now reserved.

The Acting CHAIR. The gentleman from Louisiana.

Mr. RICHMOND. Mr. Chairman, I would just say that as we look at the budget and we try to do things to bring the budget back into balance, we keep leaving out the point of return on investment. And if we continue to invest in things that are going to give us more than a one-to-one return, then we are actually gaining a benefit that will allow us to cut down the deficit.

And then I would just quickly add in the same spirit and working together that it is almost like the field of dreams for the Bureau of Prisons. If you appropriate it, they will spend it. And if they build it, they will fill it. We don't want to do that when we have a greater avenue, I think, to put our youth on a better path and not only save money, but create less victims of crime.

So with that, I would just remind all of our Members that I hope we continue to work together. And we should really be careful here because the life you save may be your own.

I thank the chairman for his cooperation, and I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

AMENDMENT OFFERED BY MR. MEADOWS

Mr. MEADOWS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Acting CHAIR. The Clerk reads as follows:

At the end of the bill (before the short title), insert the following:

Snc...None of the funds made available by this Act may be used to negotiate or enter into a trade agreement that establishes a limit on greenhouse gas emissions for the United States. The limitation described in this section shall not apply in the case of the administration of a tax or tariff.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Acting CHAIR. The gentleman from North Carolina.

Mr. MEADOWS. My amendment would prohibit the administration from using any funds from this bill to advocate or support a position in trade negotiations or enter into a trade agreement that would limit greenhouse gas emissions in the United States. Basically, the amendment would prohibit the Obama administration from trying to address “climate change” through trade agreements.

The last few years, we have seen the administration intentionally work around Congress to implement its own agenda.

Mr. Chairman, the hour is late. There are many other amendments that need to be debated and heard, and with that, I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. I am not sure this is the right place to be imposing on trade agreements that would be opposed to this. We won't be blocking a recorded vote, but we would be opposed to this.

I reserve the balance of my time.

Mr. MEADOWS. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. CULBERSON), the chairman of the Appropriations subcommittee, who has done great work.

Mr. CULBERSON. I strongly support this amendment. It is important that these trade agreements not be negotiated in ways that would supersede the authority of this Congress. Any limitation on greenhouse gases should be debated in this Congress and enacted by Congress and should not be any part of any trade agreement.

So I strongly support the gentleman's amendment in the same spirit that we have got language in this bill that prohibits use of funds to negotiate the U.N. arms control treaty, which would interfere with our Second Amendment rights. We have prohibited that. We have shut down the U.N. arms control treaty in this bill.

Similarly, let's shut down any attempt to impose greenhouse gas emissions limits on the United States through a trade agreement.

I strongly support the gentleman's amendment and urge Members to vote yes.

Mr. FATTAH. I yield back the balance of my time.

Mr. MEADOWS. Mr. Chairman, I urge support, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. MEADOWS).

The amendment was agreed to.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Acting CHAIR. The Clerk reads as follows:

At the end of the bill (before the short title), add the following new section:

Snc...None of the funds made available by this Act may be used to negotiate or enter into a trade agreement that would limit greenhouse gas emissions in the United States. The limitation described in this section shall not apply in the case of the administration of a tax or tariff.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Acting CHAIR. The gentleman from North Carolina.

Mr. MEADOWS. Mr. Chairman, I urge support.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. GRAYSON

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The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Acting CHAIR. The amendment is withdrawn.
Mr. GRAYSON. Mr. Chairman, this amendment is identical to other amendments that have been inserted by voice vote into every appropriations bill considered under an open rule this year and in the last Congress as well.

My amendment expands the list of parties with whom the Federal Government is prohibited from contracting due to serious misconduct on the part of the contractors. Specifically, the list would include contractors who within a 3-year period preceding an offer or contract have been convicted or had a civil judgment rendered against them for fraud, violation of Federal or state antitrust laws, embezzlement, theft, forgery, bribery, violation of Federal tax laws, and other items outlined in section 52.209–5 of title 48 of the Code of Federal Regulations.

These are all offenses which any contractor doing business with the Federal Government must be free to ignore these transgressions and award contracts to offending entities, absent my amendment. I commend the authors of this bill for their inclusion of section 523. I still believe, however, that we can improve on this bill by prohibiting agencies from contracting with those entities who have engaged in the activities described.

It is my hope that this amendment will be noncontroversial, as it has been on every previous occasion and again be passed unanimously by the House.

I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I claim the time in opposition, but I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. FATTAH. I am not opposed to the amendment. I am prepared to accept the amendment and support it, and I thank the gentleman for offering it.

I speak even for the chairman in this matter. We are ready to rock and roll, so we accept the amendment. I yield back the balance of my time.

Mr. GRAYSON. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. GRAYSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HUDSON

Mr. HUDSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

At the end of the bill (before the short title), insert the following:

Sec. 523. None of the funds made available by this Act may be used to treat any M855 (5.56 mm x 45 mm) or SS109 type ammunition as armor piercing ammunition for purposes of chapter 44 of title 18, United States Code.
Mr. HUDSON. Mr. Chairman, I appreciate my colleague’s rhetorical question. Mr. Chairman, I would just say that the point is a 5.56 green tip bullet is not an armor-piercing bullet. The only reason it has been called an armor-piercing bullet is because of a loophole, and that is my point.

We have an administration that has just put out a whole list of regulations that say they want to restrict the rights of people because they may or may not have a mental illness. They want to be able to step in and persuade the ATF to do that. It is the committee subcommittee chairman, I was taking that far beyond the statute. It was necessary for—as new committee chairman, I was able to step in and persuade the ATF to drop their ammo ban.

Mr. HUDSON’s amendment is necessary to make sure it doesn’t happen again in the future. And I urge Members to support his amendment in the strongest possible terms to defend our Second Amendment rights.

Mr. HUDSON. Mr. Chair, I yield back the balance of my time.

Mr. HUDSON. Mr. Chairman, I appreciate my colleague’s rhetorical question. Mr. Chairman, I would just say that the point is a 5.56 green tip bullet is not an armor-piercing bullet. The only reason it has been called an armor-piercing bullet is because of a loophole, and that is my point.

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Mr. HUDSON’s amendment is necessary to make sure it doesn’t happen again in the future. And I urge Members to support his amendment in the strongest possible terms to defend our Second Amendment rights.

Mr. HUDSON. Mr. Chair, I yield back the balance of my time.

Mr. EUROPE. Mr. Chairman, I appreciate my colleague’s rhetorical question. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. HUDSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COLLINS OF GEORGIA

Mr. COLLINS of Georgia. Mr. Chairman, I have an amendment at the desk. The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

SEC. 101. Paragraph (c) of section 101(a)(17) of title 26, United States Code, is amended—

(1) by striking `IRS' and inserting `SEC.';

(2) by inserting `Funds not used in support of the provision of Federal law enforcement assistance to a State, or political subdivision thereof, by a Federal agency shall not be eligible to receive funds under this act, specifically Federal reimbursement grants under the State Criminal Alien Assistance Program and the State Criminal Alien Assistance Program.' after `States and the political subdivisions thereof that do not cooperate with INS.';

(3) by inserting `and it amends section 101(a)(17) of title 26, United States Code,' after `or political subdivision thereof.';

In amendment, Mr. COLLINS of Georgia.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COLLINS OF GEORGIA

Mr. COLLINS of Georgia. Mr. Chairman, I have an amendment at the desk. The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following:

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(3) by inserting `and it amends section 101(a)(17) of title 26, United States Code,' after `or political subdivision thereof.';

In amendment, Mr. COLLINS of Georgia.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COLLINS OF GEORGIA

Mr. COLLINS of Georgia. Mr. Chairman, I rise today with basically a commonsense amendment on H.R. 2578. I appreciate the hard work that Chairman CULBerson, Ranking Member FATTAH, and other members of the Appropriations Committee have put into this bill.

This bill contains many important provisions to protect law-abiding Americans and public safety while spending responsibly; however, I want to make it absolutely clear that no funds appropriated under this bill are used to assist States and localities whose laws and policies are in direct contradiction to Federal immigration law and enforcement efforts. My amendment makes sure that those Federal funds are not used. It ensures that we do not reward State and local governments with Federal funds when they ignore the rule of law.
Mr. COLLINS of Georgia. Not at this point.

Mr. FATTAH. Mr. Chairman, we will respect the ruling of the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

The gentleman from Texas is recognized.

Mr. CULBERSON. Mr. Chairman, I would like to reiterate that I agree with the gentleman from Georgia. This does not change existing law. It simply states that if you expect to receive Federal money, you need to be in compliance with Federal law. It is pretty straight up.

The Acting CHAIR. The Chair is prepared to rule.

The Chair finds that this amendment includes language requiring a new determination as to the status of local law.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

SEC. ___. None of the finds made available by this Act may be used to negotiate or enter into a trade agreement whose negotiating texts are confidential. The limitation described in this section shall not apply in this Act, which includes funds made available by this Act to be used to negotiate or enter into a trade agreement whose negotiating texts are confidential.

Mr. GRAYSON. Mr. Chairman, this amendment is akin to an amendment that was considered just a few moments ago offered by Mr. MEADOWS. This amendment is meant to address a problem that has arisen with trade agreements that has become visible to all of us as Members of this august body.

What has happened is that the Trade Representative, for no apparent legal reason, with no apparent legal authority, has taken it upon himself to negotiate trade agreements that have been negotiated in secret—entirely in secret, just in secret from us and from members of the American public.

The corresponding provision, the TTIP provision, has been posted by the European Union, which is our negotiating partner in this on the Internet.

The Trans-Pacific Partnership itself has been negotiated in secret, but that has been posted by WikiLeaks, to the embarrassment of our government in an unnecessary manner.

When we look back over the past several years is that the Trade Representative has turned a deaf ear to our concerns as Members of Congress who must perform our oversight functions whenever we ask for information about what the Trade Representative is doing on behalf of the American people.

Three years ago, we had the strange circumstance come up that over 100 Members of this body, a letter to the Trade Representative saying: We hear you are negotiating something called the Trans-Pacific Partnership. Would you please give us a copy?

And the answer came back: No. We are not going to give you a copy.

For the past 5 years, the Trans-Pacific Partnership has been negotiated in secret. Only in the last few months, Members of Congress have been able to see it under the most extreme conditions imaginable. I was actually the first person to be able to see it, and the Trade Representative came to my office with his staff and offered to show it to me, but I couldn’t take any notes.

I couldn’t discuss it with my own staff. I couldn’t even discuss it with other Members of this body. And of course I couldn’t make copies or otherwise have access to what I had seen, much less speak to my constituents about it, much less speak to the media about it, much less speak to the public about it.

Respectfully, secret laws are un-American laws; secret agreements are un-American agreements. There is no such thing recognized under our Constitution as a “secret statute” or a “secret treaty.” But that is, in effect, what we have been experiencing with this illegal authority that allows the Trade Representative to do what he has been doing. I say the time is up and we should insist that these agreements, which will determine the course of economic history in America for the next 20 or 30 years, are not negotiated in public with our approval and with our input.

I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in objection.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, the gentleman from Florida I know has worked in the past as an attorney and represented clients and undoubtedly has settled cases before. And those settlement agreements, those negotiations, you didn’t want to do that in the open sunshine. Sunshine is a good thing. You are not interested in legal authority to negotiate a fair settlement with the other party in the case.

As here, with trade promotion authority, the countries with which the Trade Representative is negotiating, Japan, for example, the Australians and the Japanese want the Australians to see what the Japanese are agreeing to. That is just common sense. I doubt that the Koreans want the Japanese to see what the Koreans are attempting to agree to.

So it is perfectly understandable that the agreement itself would be confidential until it is finalized. Members of Congress can go see the agreement, but the Korean-American Trade Agreement is being negotiated in secret that is not intended until it is finally settled because Korea doesn’t want Japan or Australia or Vietnam to see what they are negotiating, in the same way you did not want your clients, the agreement if you were attempting to negotiate on behalf of your client, you didn’t want to do that in the open sunshine. Sunshine is a good thing, but there are times when a negotiation like this on a trade agreement is just common sense.

You are not attempting to do their countries that you are competing against to see what kind of a deal you are fixing to work out with the United States.
The Members of Congress can see it, of course, as we should, and the agreement itself must be available to the public to view 90 days before the President can even sign the agreement, and the Congress is going to have this debate. In fact, I understand that this trade promotion authority agreement that is under discussion, the new law that Congress is proposing, would, for the first time give either House of Congress a veto over the agreement with a majority vote. So the House could decide to veto a particular trade agreement by majority vote; the Senate could veto a trade agreement by majority vote. The only part of the deal so far that is confidential is the ongoing negotiations, which is exactly the way you handled and protected your client's best interest as an attorney. I am quite confident as an attorney you handled your client's litigation in a way that was professional and confidential, and I imagine you never disclosed a pending settlement agreement that was being negotiated, you never released that publicly, did you ever, Mr. Grayson?

Mr. GRAYSON. Is the gentleman yielding to me?

Mr. CULBERSON. Did you ever re-release a negotiated settlement agreement to the public before it was finalized?

Mr. GRAYSON. Is the gentleman yielding to me?

Mr. CULBERSON. No. Answer my question, yes or no.

Mr. GRAYSON. Well, I can't answer your question unless you are going to yield to me.

Mr. CULBERSON. That is why I am asking a question. I am asking you, did you ever release the terms of a settlement agreement you were negotiating before it was final?

The Acting CHAIR. The gentleman from Texas controls the time.

Mr. CULBERSON. Yes. And I am asking a question. I was an attorney myself. I defended businesses in civil litigation, and any settlement agreement that we worked on was done confidentially. And I would ask Mr. GRAYSON, did you ever disclose a confidential settlement negotiation publicly when you were negotiating on behalf of your client?

Mr. GRAYSON. Is the gentleman yielding the balance of his time to me?

Mr. CULBERSON. No. I am not yielding the balance of my time. I am just asking a question. I am quite confident Mr. GRAYSON always kept those negotiations secret. That is all that is being kept secret here. And it is actually not secret because Members of Congress can go read the text of the trade agreement that is being negotiated. And if any of us have any sort of an objection, that is a good time to raise it, to tell the Trade Representative that we think this or that provision is going to either be in violation of Federal law or cause a problem for American industry and we think you ought to drop it.

So you have actually got an opportunity to have your 2 cents' worth heard during the course of the negotiation. So I would urge Members to oppose Mr. GRAYSON's amendment for the same reason that Mr. GRAYSON always kept his settlement negotiations confidential. And I reserve the balance of my time.

The Acting CHAIR. The gentleman from Florida has 15 seconds remaining. The gentleman from Texas has 30 seconds remaining. Mr. GRAYSON. Mr. Chairman, I ask unanimous consent for another minute beyond my 15 seconds.

Mr. CULBERSON. I object. We are limited to 5 minutes and it is 12:30 at night.

The Acting CHAIR. There is an objection. The gentleman has 15 seconds.

Mr. GRAYSON. First of all, I represent the American public here, not the American private. When I was an attorney, I represented private interest, just as you did. Now I represent the public. The reason we refer to the American public as the public because the public's business needs to be public. That means no secret negotiations, no secret agreements, nothing but the public interest in public.

The Acting CHAIR. The time of the gentleman has expired.

Mr. CULBERSON. Mr. Chairman, I think Mr. GRAYSON's answer confirms that he did not ever disclose a negotiated settlement before it was final, and that is just common sense. And here, under trade promotion authority, the trade agreement, as it is being negotiated, needs to be kept confidential. But any Member of Congress can go in and see it and have our voices heard, object, suggest changes to it, as it is being negotiated. And then once it is finalized, the text is available to the public 90 days before the President signs the agreement, and then either House of Congress can void the agreement by a majority vote. We are going to have this debate, and I urge Members to oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

Mr. CULBERSON. The question was taken; and the Acting CHAIR announced that the noes appeared to have it.

Mr. GRAYSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT OFFERED BY MR. ROHRABACHER

Mr. ROHRABACHER. Mr. Chairman, I have an amendment.

The Acting CHAIR. The Clerk will report the amendment. The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

AMENDMENT OFFERED BY MR. ROHRABACHER

Mr. ROHRABACHER. Mr. Chairman, I have an amendment.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, I yield myself 2 minutes.

Today, I ask my colleagues to make a practical as well as a principled vote. My amendment would prohibit any Federal funds from being used to supersede State law in those States that have legalized the use of medical marijuana.

Let's be clear. The intent of this amendment is to make it illegal for Federal employees to engage in efforts to enforce Federal law that makes the medical use or distribution of medical marijuana illegal in States where the use of marijuana for medical purposes has been made legal.

The practical aspect of this vote is based on the realization that, at a time when our government is severely limited in its ability to make sense to target terrorists, criminals, and other threats to the American people rather than use Federal law enforcement resources to prevent suffering and sick people from using a weed that may or may not alleviate their suffering.

There are many examples—yes, anecdotal—in which the use of marijuana has helped end severe suffering.

To prevent the use of marijuana. Once it has been legalized by a State government it is a travesty, an inexcusable waste of our limited resources. That is the practical reason to vote for my amendment.

As for the principle, we Republicans should based our decisions on individual freedom, on states' rights as mandated by the 10th Amendment to the Constitution, and especially on the doctor-patient relationship.

Don't bother to use rhetoric about those principles on other issues if you vote for the Federal Government to supersede individual rights, states' rights, and the doctor-patient relationship when it comes to marijuana.
The Acting CHAIR. The time of the gentleman has expired.

Mr. ROHRABACHER. I yield myself 10 seconds.

Stop this waste of limited Federal law enforcement resources. Stop the roughshod use of the Federal bureaucracy from busting down doors to prevent sick people from using a substance that his or her doctor believes might alleviate his or her pain.

Vote for the Rohrabacher amendment.

The Acting CHAIR. The time of the gentleman has again expired.

Mr. FLEMING. Mr. Chairman, I rise in opposition to the gentleman’s amendment.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. FLEMING. Mr. Chairman, I yield myself 1 minute.

First of all, I hear constantly of this idea about individual rights, about the 10th Amendment, et cetera. This was all settled back in 2005 in the Supreme Court with Gonzales v. Raich, which was a 6-3 victory in favor of the government’s having preemptive rights when it comes to the drug laws, the CSA. That has been settled. We can claim this over and over again, but bring it back to the Court and see if you can change that.

Now, how is this affecting us in real life? It is now legal in Colorado, but Nebraska and Oklahoma are not. Why? It is because of all the problems that are developing across the State borders—again, interstate commerce, a big problem.

Let’s talk about the huge problem that marijuana represents. First of all, it has no accepted medical use.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FLEMING. I yield myself an additional 30 seconds.

There are synthetic marijuana equivalents that are useful—yes, indeed—but the drug itself, which is the smokeable part of it, is not safe and has not been accepted.

Here is the thing. It is known to have brain development alterations; schizophrenia and other forms of mental illness; psychosis; heart complications; and an increased risk of stroke.

A study recently found that even casual users experience severe brain abnormalities on MRIs and that pot smoking leads to the loss of ambition; to lower IQs; and that it impairs attention, judgment, memory, and many other things.

I reserve the balance of my time.

Mr. ROHRABACHER. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Chairman, Congress needs to represent the States that they are elected in. It is time that we represent them here in the United States Congress instead of having to worry about a Federal law that is standing in the way of their constituents using a substance that they believe will alleviate their pain.

The Acting CHAIR. The gentleman from Louisiana has 3 minutes remaining, and the gentleman from California has 2 minutes remaining.

Mr. FLEMING. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Chairman, the supporters of this amendment claim that this is a states’ rights issue. However, it is not that simple, not hardly.

Drug manufacture and use is inherently an interstate problem.

For example, we need look no further than at one of the two States where marijuana has been legalized. The Colorado Department of Revenue has reported that 76 percent of marijuana sales in the State were to out-of-State ID holders.

Indeed, earlier this year, Colorado Governor Hickenlooper said, “If I could’ve waved a wand the day after the election, I would have reversed the election and said, ‘This was a bad idea.’ ”

In fact, Colorado is now being sued by Nebraska and Oklahoma, which claim Colorado has created a “dangerous gap” in the control of marijuana and that marijuana is flowing from Colorado to neighboring States.

However, Mr. Chairman, of far greater concern to me is the increased availability of marijuana to children, which will inevitably result from a loosening of restrictions on this dangerous drug.

Though my colleagues may not like it, marijuana remains a schedule I narcotic because it has a high potential for abuse and no legitimate medical use. In fact, Mr. Chairman, statistics show that 78 percent of the 2.4 million people who began using marijuana last year were aged 12 to 20.

There is little doubt that this drug poses a significant danger to our children, and I urge a “no” vote on this amendment.

Mr. ROHRABACHER. Mr. Chairman, I yield 30 seconds to the gentleman from California (Ms. LEE).

Ms. LEE. I want to thank the gentleman for yielding and for his leadership on this amendment.

Mr. Chairman, of course, I rise in support of this bipartisan amendment. In States with marijuana laws, patients now face uncertainty regarding their treatment, and small-business owners, who have invested millions in creating jobs and revenue, have no assurances for the future.

It is now time for the Justice Department to stop its unwarranted persecution of medical marijuana and to put its resources where they are truly needed. There is no way that Members of Congress should tell people who live in those States that these laws have been passed that what their doctors prescribe, which could prevent pain, should not be allowed.

Mr. ROHRABACHER. Mr. Chairman, I yield 30 seconds to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. I appreciate the time, and I appreciate all of the work that Mr. ROHRABACHER and Mr. FARR have done, and I am happy to join with them.

Mr. Chairman, Justice Brandeis said the States are the laboratories of democracy. That is what they are doing here. Some of the arguments we have heard are “Reefer Madness” 2015. It is over. One of the gentlemen said children are doing marijuana at age 12. That will show you how good the laws are doing right now.

If we had more money going into heroines, and we want our Federal resources geared towards crime that we view as more important. Have them go after the heroin ring.

Colorado has had legal medical marijuana for nearly a decade. Some in our State are for it; some are against it. It is right for the States to determine the right thing. That is why I support this amendment.

Mr. ROHRABACHER. I yield 30 seconds to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Chairman, this amendment is about standing up for states’ rights and protecting businesses, doctors, and patients who are acting legally under the medical marijuana laws of some 41 States and territories, including Nevada. Congress needs to catch the State legislatures, and the Federal Government needs to stop wasting money busting good citizens who are trying to do the right thing.

Mr. FLEMING. I continue to reserve the balance of my time.

Mr. ROHRABACHER. Mr. Chair, who has the right to close?

The Acting CHAIR. The gentleman from California has the right to close.

Mr. ROHRABACHER. That is correct. Ms. TITUS.

Mr. ROHRABACHER. Mr. Chair, who has the right to close?

The Acting CHAIR. The gentleman from California has the right to close.

Mr. ROHRABACHER. Ms. TITUS, I yield 30 seconds to the gentlewoman from California (Ms. LEE).

Ms. LEE. I want to thank the gentleman for his leadership on this amendment. In States with marijuana laws, patients now face uncertainty regarding their treatment, and small-business owners, who have invested millions in creating jobs and revenue, have no assurances for the future.

It is now time for the Justice Department to stop its unwarranted persecution of medical marijuana and to put its resources where they are truly needed. There is no way that Members of Congress should tell people who live in those States that these laws have been passed that what their doctors prescribe, which could prevent pain, should not be allowed.

Mr. ROHRABACHER. Mr. Chair, who has the right to close?

The Acting CHAIR. The gentleman from California has the right to close.

Mr. ROHRABACHER. I yield 30 seconds to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. I appreciate the time, and I appreciate all of the work that Mr. ROHRABACHER and Mr. FARR have done, and I am happy to join with them.

Mr. Chairman, Justice Brandeis said the States are the laboratories of democracy. That is what they are doing here. Some of the arguments we have heard are “Reefer Madness” 2015. It is over. One of the gentlemen said children are doing marijuana at age 12. That will show you how good the laws are doing right now.

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Colorado has had legal medical marijuana for nearly a decade. Some in our State are for it; some are against it. It is right for the States to determine the right thing. That is why I support this amendment.

Mr. ROHRABACHER. I yield 30 seconds to the gentlewoman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Chairman, by the way it has been talked about by some on the other side, to be clear, this amendment does not legalize marijuana. It simply ensures that the Federal Government doesn’t waste its limited resources in prosecuting men and women who are acting in compliance with State and medical marijuana laws. That is all it does.

It is very reasonable that States have enforcement priorities in this area, and we want our Federal resources geared towards crime that we view as more important. Have them go after the heroin ring.
Mr. FLEMING. Let me say, first of all, this whole idea of medical marijuana is a big joke. It is an end run around the law. There are more pot shops in California than there are Starbucks or McDonald’s; okay? Now, is it really a medical treatment? Well, the AMA says no. The American Society of Addiction Medicine in February urged the American Glaucoma Society, which is of course in charge of glaucoma treatment, says that this is not a medical treatment for glaucoma. So there is no single approved use of marijuana for medical diseases.

The whole idea about medical marijuana is to get around the laws on legalization or illegalization of marijuana. But make no mistake about it, the most common addiction diagnosis for young people admitted to drug treatment centers is addiction to marijuana. The rate is 9 percent addiction rate in adults; it is 17 percent in young people.

We all know the studies show very clearly that the States that are more permissive have higher addiction and abuse rates than any others. We also know that NIDA tells us that it is a developmental disease. What does that mean? It means the younger a child is exposed to it, the more likely that child will later become an addict to something else, like methamphetamine, prescription drugs, heroin. So if you support this, which is really the legalization of marijuana, then you are really supporting allowing our children to be harmed and addicted to this terrible drug.

Now, I am all in favor of research, and we are in discussions with DEA about allowing it in some way, whether we go to a 1a category to allow such research or that it may have some benefit for seizures. That is yet to be seen. Some suggest that it may be beneficial to those who have spastic muscle disease, but there is absolutely no proof of that.

So with that, I urge everyone to oppose this amendment.

I yield back the balance of my time.

Mr. FLEMING. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FLEMING. Mr. Chairman, notwithstanding the doctor’s remarks, the truth is that almost no research has been put into marijuana in terms of its medicinal effects. You have epilepsy and a whole host.

Mr. FLEMING. Will the gentleman yield on that?

Mr. FLEMING. I yield to the gentleman from Louisiana.

Mr. FLEMING. Okay. I am not going to dominate the gentleman’s time.

This has been under study for over 40 years. My university, the University of Mississippi, has been legally growing pot for over 40 years and studying it, so it has been studied.

Mr. FATTAH. Reclaiming my time, I know a little bit about this subject. The bottom line is that in terms of its medical viability, in terms of epilepsy and a whole host of medical issues, there is some need for a real study of this, not just about the way that we have proceeded so far. I think that this amendment and what is happening in the States should be allowed to go forward.

I yield such time as he may consume, as long as he doesn’t go over 11/2 minutes.

Mr. ROHRABACHER. I appreciate that from my colleague.

Look, our Founders didn’t want criminal justice to be handled by the Federal Government. I don’t know what government you want to have in our country, but most of us here don’t believe that the Federal Government—neither did our Founding Fathers—is an all-wise system, that the Federal Government is the only government that has wisdom to make the decisions for the families.

This is absolutely absurd to think that the Federal Government is going to mandate all of these things even though the people of the States and other doctors, many other doctors, would like to have the right to prescribe to their patients what they think is going to alleviate their suffering. And I should not get in the way. As I said in the first debate, it is sinful for us to try to get in the way between a doctor and his patient, saying, Oh, no, the Federal Government knows better.

This is a states’ rights issue. This is the issue of what our Founding Fathers had in mind for this country, where the decisions would be made like this. They didn’t want the Federal Government to have a police force that can bust in people’s doors. No. They wanted to have individual freedom, personal choice. They want parents to take care of their kids. They didn’t want an all-controlling nanny State to control our lives. That is what this country was supposed to be all about. I thought that is what Republicans were supposed to be all about, and I hope my Republican colleagues will start reexamining whether or not they believe in the fundamental principles of limited government and individual freedom that we have always talked about.

So I would ask my colleagues to join me, reaffirm what our Founding Fathers had in mind, which is freedom, states’ rights, limited government, and people making choices about their own lives and being responsible for their families and not shoving that off on the Federal Government.

Mr. FATTAH. Reclaiming the balance of my time, I think I hear that echo again about the right to be left alone.

I yield back the balance of my time.

Mr. ROHRABACHER. Let me just say this. I just wish you would have talked to any of the very doctors of people I know that have been suffering, and they have gone to their doctor and asked for help, and the doctors have said, “Yes, medical marijuana will help you”—to believe that the Federal Government can stop that.

I have met people whose suffering has been alleviated. Some veterans I know have gone through seizure after seizure, and they were only helped by medical marijuana. If we have a heart, if we have our beliefs, let’s make sure that stand for freedom in this vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. Rohrabacher).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FLEMING. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. GRAYSON

Mr. GRAYSON. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following new section:

SEC. [42] None of the funds made available by this Act may be used to compel a person to testify about information or sources that the person has in a manner that would cause the subpoena that has obtained as a journalist or reporter and that he regards as confidential.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chairman, this amendment has nothing to do with medical marijuana. It was passed last year by a vote of this body of 225-183; in other words, it passed by a majority of 42 votes.

Mr. FLEMING. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. The ayes have it.

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FLEMING. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. The ayes have it.

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FLEMING. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. The ayes have it.
A shield law is designed to protect a reporter’s privilege: the right of news reporters to refuse to testify on information and sources of information obtained during the news gathering and dissemination process. In short, a reporter should not be forced to reveal his or her sources under penalty of imprisonment.

This issue has come up in court cases at the Federal level and the Supreme Court level, beginning with the 1972 case of Branzburg v. Hayes. In that case, a federal grand jury asked its readers about the nature of the drug hashish, and he realized that the only way to go about that was to actually find and interview people who had actually used the drug hashish, so he did that.

After he published his article, relying upon two confidential sources, he was subpoenaed by the police to provide his sources so that they could be arrested, compromising their identity and compromising their relationship integrity. So he was forced to choose whether he would conceal his sources and go to prison or he would reveal his sources and have them go to prison, simply because he wanted to inform the public about a concern.

Some of us may remember the case of Valerie Plame, who was publicly identified as a covert operative. Reporters were continually asked to name the sources used in their reporting, and one reporter was jailed for 85 days for refusing to disclose sources in that government probe.

At this point, under current law, journalists are in a quandary—an unnecessary and unhealthy quandary. They realize that they need to protect their sources, but that right is codified only at the State level and not yet at the Federal level.

So what I am seeking to do, as I did last year with the assistance of this House—is to offer the journalists the protection they should have in order to do their jobs properly.

Freedom of the press is not just an important principle, but it is part of the foundation of American law. The Constitution and the First Amendment provide for freedom of speech and of the press. It is completely incongruous to say that we have freedom of the press, but the Federal Government could nevertheless subpoena sources and put reporters in prison if they don’t.

I think that we should have settled this issue years if not decades ago. We did settle it last year successfully in this body, but we are here today to try to address it one more time.

Respectfully, I submit this amendment as a much-needed and long delayed clarification that the Federal Government treats the issue of freedom of the press just as respectfully and just as importantly as the great majority of our states do—94 out of 50.

I ask for support of this amendment from my esteemed colleague, the gentleman from the Seventh District of Texas, and I reserve the balance of my time.

Mr. CULBERSON. I claim the time in opposition.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CULBERSON. Mr. Chairman, I urge my colleagues to oppose this amendment. It is drafted far too broadly. And I would point out that in a grand jury proceeding—those that occur in the District of Columbia, for example, are done under the auspices of the Department of Justice, and that is a Federal grand jury proceeding. A journalist would not have the privilege of protecting the confidentiality of his sources because in a grand jury everything that is discussed is absolutely confidential.

I also, frankly, think it is astonishing that under Mr. GRAYSON’s amendment a journalist has the ability to self-certify what is confidential and what is not. I certainly agree with the principle of a strong and free press, but Mr. GRAYSON’s amendment is written far too broadly and, frankly, would not provide protection to a journalist in a grand jury setting. I think he has neglected that problem.

I yield to the gentleman from Virginia (Mr. GOODLATTE), the chair of the Judicial Committee, to also speak in opposition to this amendment.

Mr. GOODLATTE. I want to thank the chairman of the subcommittee for indulging me in opposition to this amendment.

Shield laws for reporters are not a bad concept at all, but this is hardly the way to go about doing it. No State has a law like this language here, where it is so vague that virtually anyone in the United States claiming to be a journalist or reporter—and, by the way, nowadays, when lots of people maintain blogs or posts on the Internet, they could easily claim to be a journalist or reporter—would be covered by this.

So no one intends to have that broad an exception that would allow anyone to evade the requirements that they respond to a legitimate subpoena for investigation by law enforcement, a violation of the law.

This is far too broad. It is something that clearly should be handled by the authorizing committee, the Judicial Committee, which worked on this for a long period, has struggled with that very definition of journalist or reporter that the gentleman from Florida simply glosses over in this.

And then, to give further exception to simply say that that individual who first claims they are a journalist or reporter and then says, Oh, yeah, that is confidential, that would breed criminal misconduct because criminals would be before the court claiming that they were reporters and that they regarded their information as confidential and, therefore, do not have to respond to a subpoena.

This is a very harmful, very bad way to go about providing protection to legitimate journalists and reporters and should be defeated. I urge my colleagues to join me in voting against it.

Mr. GRAYSON. This is the same parade of horribles that we heard last year before this body voted in favor of this amendment. It is almost the same word, for word.

Last year, we heard that this somehow would allow people to self-certify. Well, in fact, anybody who self-certifies falsely in front of a grand jury is looking at a lot more than 83 days in jail. They are looking at 5 years in Federal prison. They would be prosecuted for perjury if they claimed to be a journalist and weren’t actually a journalist—a fact that I pointed out last year before this amendment was actually passed.

I also want to point out that there is no distinction between a grand jury and an actual jury for this purpose. So whatever the amendment says, there is no distinction whatsoever. So it is simply false to say that this doesn’t apply to grand jury proceedings. It certainly would apply and does apply to all grand jury proceedings at the State level, at least.

And there is nothing vague about this provision at all. In fact, the wording has been referred to here, that the information has been attained as a journalist or reporter, is exactly the wording that was in the Grayson amendment last year that passed with a margin of 42 votes.

So none of these old attacks, these unsuccessful attacks, are anything new and deserve any more credence than they received from a majority of this body last year.

I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, with that, I would urge Members to oppose the amendment and urge Members to vote “no,” and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON). The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRAYSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT OFFERED BY MR. MCCARTHY

Mr. MCCARTHY. Mr. Chairman, I have an amendment at the desk that I offer with the gentleman from Colorado (Mr. POLIS).

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. 3. Nothing of the funds made available in this Act to the Department of Justice may be used, with respect to any of the States of Alabama, Alaska, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi,
Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Washington, and Wisconsin, to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of marijuana on non-Federal lands within their respective jurisdictions.

Mr. MCCLINTOCK (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading. The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCCLINTOCK. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this amendment is not an easy one. I have never used it. My wife and I raised our children never to use it. And I believe that local schools ought to assure that every American is aware of the risks and dangers that it may pose.

This amendment addresses a much larger question: whether the Federal Government has the constitutional authority to dictate a policy to States on matters that occur strictly within their own borders. I believe that it does not. But even if it does, I believe that it should not.

In 1992, Supreme Court Justice Louis Brandeis described the beauty of the 10th Amendment this way. He said: ‘A State may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments without risk to the rest of the country.’

Mr. FLEMING. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chair, I yield myself 2 minutes.

My friend Mr. MCCLINTOCK makes the point that this should be an experiment within the States, and certainly, that is something that has been a long-held goal and value, but we already have that ongoing.

Today, Colorado, as everyone knows, has legalization of marijuana, notwithstanding what is going on with the Federal Government and its laws, and the information is rolling in, and the information is bad. The black market is worse than ever when it comes to drugs. Interstate commerce has increased, not decreased.

Again, as I stated before, two States, Oklahoma and Nebraska, are now suing Colorado over the bleedover of problems that marijuana poses to their States. The strength of marijuana is much stronger today in Colorado than it has ever been. The problems are much worse. We are actually seeing related deaths, accidents; and we have even had an overdose death now with the stronger forms of marijuana.

Look, if this is about allowing doctors to work with their patients, let’s admit it. We don’t allow, as a society, doctors to just do anything with any patient. We do have some guidelines and restrictions.

Furthermore, children are the end result of bad decisions in all this. We know that the more it is in the homes, the more it is going into the brains and bloodstream of children.

Again, I will mention the number of problems that are developing from it are growing, mostly from what we are seeing in Colorado. Studies show that MRI scans show, even in casual users, profound brain changes. We see that the area that deals with ambition is being greatly affected, thus, the ambition killer sort of knowledge that we have and understand about this drug.

IQ, studies show a lowering of IQ.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FLEMING. I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Colorado (Mr. Polis), the cosponsor of this amendment.

Mr. POLIS. I thank the gentleman from California for bringing forward this amendment.

I say to my friend, the gentleman from Louisiana, that we actually from Colorado, and I don’t recognize the Colorado that you are talking about.

I come from the Colorado where under age marijuana use is down since legalization. I am actually from Colorado, and I don’t recognize the Colorado that you are talking about.

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I come from the Colorado where our violent crime rates are down and where we continue to regulate dispensaries to make sure they are not schools; rather than have a corner street dealer who doesn’t care if they are selling to a 14-year-old, we moved that away and regulated it in a way to make sure that we could track who is buying, who is selling, and where that is going.

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Mr. FLEMING. I reserve the balance of my time.

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Mr. FLEMING. I yield myself another minute.

What we are finding out from Colorado, we are learning a lot of lessons. One is the way that marijuana is now getting into baked goods, gummy bears. There is a huge spike in emergency rooms for young children who are overdosing on marijuana.

Know that if you look, if you actually read what the media says and what the studies show is there are increasing problems in Colorado, not decreasing problems.

Mr. POLIS. Will the gentleman yield?

Mr. FLEMING. I’m sorry, but I can’t yield.

Mr. POLIS. The gentleman is inaccurate with regard to his characterization of my State.

The Acting CHAIR. The gentleman will suspend. It is the gentleman from Louisiana’s time.

Mr. FLEMIS. Parliamentary inquiry.

The Acting CHAIR. Does the gentleman from Louisiana yield for a parliamentary inquiry?

Mr. FLEMING. I do not yield.

The Acting CHAIR. The gentleman does not yield. The time is controlled by the gentleman from Louisiana.

Mr. FLEMING. Back to the constitutionality, we may all have different opinions about this, but it has been settled.

The Supreme Court in 2005, Gonzales v. Raich, 6-3, said that the Federal Government does have a right to enforce drug policies and for good reason because we know that drugs cross State lines. It is an interstate commerce issue. What happens in one State affects the other States.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FLEMING. I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, the arguments we are hearing from Mr. FLEMING are the arguments that ought to be heard in the States. I would remind him this measure does not affect marijuana laws involving any conceivable Federal jurisdiction.

It does not affect Federal districts or territories. It does not affect Federal jurisdiction over interstate commerce, including the Federal Government’s responsibility to interdict transport among States.

It does not affect Federal districts or territories. It does not affect Federal jurisdiction over interstate commerce, including the Federal Government’s responsibility to interdict transport among States.

At some point, Mr. Chairman, we must ask ourselves: Do we believe in the 10th Amendment or do we not? Do we believe in federalism or do we not? Do we believe in the architecture of our Constitution or do we not? Do we believe in freedom or do we not?

I yield back the balance of my time.

Mr. FLEMING. Mr. Chairman, how much time do I have?

The Acting CHAIR. The gentleman from Louisiana has 2 minutes remaining.

Mr. FLEMING. And who has the right to close?

The Acting CHAIR. The gentleman from Louisiana has the only time remaining. The gentleman from California yielded back the balance of his time.

Mr. FLEMING. Again, my good friend from California would suggest that, really, Federal laws have no application, that we should just turn all laws and law enforcement over to the States. That simply isn’t the case.

Again, yes, the Federal Government does have jurisdiction. It is called the CSA, the Controlled Substances Act, and it has been around for a long time, and it is enforced by the DEA and many other agencies. I would just say that the gentleman is just flat wrong on that and that the Supreme Court came down on my side.

Again, we can have different opinions, but that is where we are today. I would suggest that perhaps we get the Supreme Court to rule differently if we believe differently.

But again, what is important to me is not the law. What is important to me is what is happening to the children of our Nation, especially Colorado: overdoses, brain changes, loss of IQ, memory loss, and cognitive impairment.

Marijuana smoke has four times the tar of cigarette smoke. Who really believes that we are not going to see an epidemic down the road of lung cancer related to marijuana?

As far as for medical purposes, again, we don’t have a single approved specific use of marijuana for medical purposes. And for heaven’s sakes, we know that up to 17 percent of people who use it become addicted to it. So the first rule for all physicians—and I have been a doctor for 40 years—is first do no harm. Well, we are doing a lot of harm with marijuana by legalizing it and liberalizing its use.

Mr. Chair, I urge my colleagues to vote against this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. McCLINTOCK).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MCCLINTOCK. Mr. Chairman, I demand a record vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

Amendment offered by Mr. PERRY

Mr. PERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.
that does not allow her to respond to the traditional medication. Because of this, she suffers through upwards of 200 seizures each and every day. Mr. Chairman, she can’t read. She is 9 years old. Her 6-year-old sister reads to her. She can’t do this because she blackouts out and has been hundreds of times each and every day.

Unfortunately, Sophie’s story is not unique, and there are girls just like Sophie in every State and every district across our country.

Mr. Chairman, we have already found lifesaving seizure relief for some families. In Illinois, CBD oil is legal and has shown to drastically reduce the frequency of seizures. But because of antiquated laws and Federal bureaucracy, this relief is unavailable to many.

Over and over again, the Federal Government has stood in the way of access to lifesaving care for these children. Why would we allow even one child, Mr. Chairman, to suffer while waiting for options to be approved? If this natural therapy can help even one family, ensuring access to it is a must.

Mr. Chairman, I came to Washington to fight for common sense, bipartisan reform that will improve the day-to-day lives of the people that I represent, and that is exactly what this amendment does. Quite simply, it ensures that States that already have legalized CBD oil can do so without Federal interference.

Helping these families is a reform that we should all be able to get behind. Regardless of political party, we can agree that the government’s role is not to prevent families from getting access to lifesaving treatments.

Mr. Chairman, as a father looking at these children who suffer from thousands of seizures, who literally can’t live their lives normally, is something that we can and must change. This amendment brings hope to thousands of individuals and their families, and I urge my colleagues to help children like Sophie in their districts by adopting this common sense amendment.

Mr. FLEMING. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Louisiana is recognized for 5 minutes.

Mr. FLEMING. Mr. Chairman, I yield myself 2 minutes.

Mr. FLEMING. Mr. Chairman, some of the things that have been said about this are quite true. First of all, it is pronounced—I can’t even say it myself. We will say CBD oil for short.

It is not psychoactive, although it is an extract from the plant of marijuana. There have been anecdotal reports that it reduces seizures in kids who have severe seizure disorders, so-called Charlotte’s Web. It is actually on fast-track evaluation by the FDA both for safety and for effectiveness. Actually, the early reports are disappointing, despite the anecdotal reports, they are not finding, thus far, the benefits that have been promised. Also, they are finding, in some cases, pretty severe side effects.

One of the things that hasn’t been discussed on this issue is, just as we don’t allow people or encourage people, at least, to eat mold in order to get penicillin, as an antibiotic for disease, it doesn’t make any sense to give a raw plant as a medication. What we do in health care by using the scientific method is to extract the component, make sure we have a precise measurement, fully study it for safety and for efficaciousness, and then we prescribe it under the direction of a physician.

The CBD oil right now is not being produced. It is not in a pill or injectable form or even in a liquid form. It is sort of grown on the side, and people are sort of experimenting with it to see whether it works.

What would I say to my colleagues is let’s get this thing out. Let the FDA finish its fast-track evaluation. If they say it is not safe and healthy, let them put it in the proper measurement form. Let’s make sure we know what all the side effects are. As far as I am concerned, we would make it a non-scheduled drug.

Mr. Chairman, I reserve the balance of my time.

Mr. PERRY. Mr. Chairman, may I inquire as to how much time is remaining.

The Acting CHAIR. The gentleman from Pennsylvania has 1 minute remaining. The gentleman from Louisiana has 3 minutes remaining.

Mr. PERRY. Mr. Chairman, I reserve the balance of my time.

Mr. FLEMING. Mr. Chairman, I continue to reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Mr. Chairman, I rise in support of the amendment offered by my colleague from Pennsylvania.

Again, I think this is a similar thrust to the previous amendment. I won’t prolong it. But we need to be exploring relief for families in which no other relief is available and for individuals in which no other relief is available. This provides an opportunity for potential relief. We should explore it.

Mr. Chairman, I thank the gentleman for offering the amendment, and I yield back the balance of my time.

The Acting CHAIR. The gentleman from Pennsylvania has the right to close.

Mr. PERRY. Mr. Chairman, I reserve the balance of my time.

Mr. FLEMING. Mr. Chairman, what my colleagues are suggesting here is that just because it is from some place or something off the shelf and we give it to children, something that has not been a practice in probably 100 years.

We just don’t do it that way. That is why we spend millions, if not billions, of dollars of research to be sure that what we give the public is going to be healthy for them and safe for them.

You may recall a drug that was prescribed for pregnancy, nausea and pregnancy, which was approved back in Europe but not approved here, and we found out babies were born without arms and legs as a result. Saving children in America—why? Because we waited to be sure that not only was it efficacious, but it was safe.

Mr. Chairman, I would say to my friends, my heart is in the same place. I want to see treatment for children who may have severe seizure disorders. We have it on a fast track. We may be months away.

But I don’t think turning this over to the parents and others who may fiddle with it and experiment with it, in essence, making our children guinea pigs, is the right way to go.

There are centers that are doing these studies, and certainly children can go and talk to those doctors, get on their studies, and get the trials. But I would again warn people that the preliminary results are not good, and in some cases we are seeing adverse side effects.

What I would say to my friends is we think we need to stay with the scientific method. We need to stay with the discipline that has made us the leader in the world when it comes to health care. We should not depart from something that has been proven right. I yield back the balance of my time.

Mr. PERRY. Mr. Chairman, I yield 30 seconds to the gentleman from Georgia (Mr. AUSTIN SCOTT), my friend.

Mr. AUSTIN SCOTT. Mr. Chairman, I just want to thank Mr. PERRY for his work on this.

I have a friend in my district who has been on TV many times because they have to carry their child to Colorado for this treatment. And I have had extensive discussions not only with people in Georgia who need this treatment for their kids, but with the sheriffs of my district as well. I certainly wouldn’t support the cannabis oil and the use of cannabis oil and those type of things if my local sheriffs were not in favor of it.

You might be interested to know that the Georgia Sheriffs’ Association actually endorsed a piece of legislation a couple of years ago that would allow the use of cannabis oil for these children with seizure disorders.

The Acting CHAIR. The time of the gentleman has expired.

Mr. PERRY. Mr. Chairman, some things have been said about the side effects of this. These are not the same side effects as with people who smoke marijuana. This is not smoking. This is an oil extract, usually given with the care of a doctor. It is not some weed grown along the road; it is actually classified in the therapeutic temp category because the plant has very scientific properties.

I understand and I respect the gentleman from Louisiana very much. When he says that he is concerned
about the side effects for these children, understand children are in hospice, they are looking at their final days, their parents are looking at their final days. They take the oil extract and they start on the road to recovery. The side effect is the choice of death or life.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY). The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PERRY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT OFFERED BY MR. PERRY

Mr. PERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), add the following:

Sec. 34. none of the funds made available in this Act may be used to implement the United States Global Climate Research Program's National Climate Assessment, the Intergovernmental Panel on Climate Change's Fifth Assessment Report, the United Nation's Agenda 21 sustainable development plan, or the May 2013 Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis under Executive Order 12866.

Mr. PERRY (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 267, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Acting CHAIR. The Acting CHAIR. The Acting CHAIR. The Acting CHAIR. The Acting CHAIR. The Acting CHAIR. The Acting CHAIR.

Mr. PERRY. Mr. Chairman, this amendment prevents funds from being used for the implementation of the United States Global Climate Research Program's National Climate Assessment, the Intergovernmental Panel on Climate Change's Fifth Assessment Report, the United Nation's Agenda 21 sustainable development plan, or the May 2013 Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis under Executive Order 12866.

Mr. PERRY. Mr. Chairman, this amendment prevents funds from being used for the implementation of the United States Global Climate Research Program's National Climate Assessment, the Intergovernmental Panel on Climate Change's Fifth Assessment Report, the United Nation's Agenda 21 sustainable development plan, or the May 2013 Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis under Executive Order 12866.

Mr. Chairman, this administration and others before it have taken unilateral actions that push a climate change agenda that hinders our own domestic business and industry.

Programs such as the United States Global Climate Research Program's National Climate Assessment and Agenda 21 drive burdensome regulations on unsound science, such as the new ozone rules set to take effect this October, the waters of the United States, and regulations on coal-fired power plants.

I wonder why do we want to fund programs, panels, and treaties that create propaganda, propaganda that looks to drive industry out of this country.

With that, I urge passage of this amendment, and I reserve the balance of my time.

Mr. CULBERSON. Mr. Chairman, I claim the time in opposition, although I am not opposed to the gentleman's amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. FATTAH. Mr. Chairman, I am not going to object, but I am in opposition to the amendment. As long as the chairman will yield me half of the time, I think we are fine.

Mr. CULBERSON. Of course.

Mr. FATTAH. Go right ahead.

Mr. CULBERSON. Mr. Chairman, I do want to express my support for the gentleman's amendment. I think it is very important that we restrict this or any other President's ability to enter into agreements that would interfere with our rights as Americans, would interfere with the laws as enacted by Congress. And that is the intent of your amendment, to ensure that the laws enacted by Congress or by the legislatures of the several States reign supreme and no President can enter into any kind of an agreement. We are not going to subject ourselves to the law of the U.N., or any other agreements here. So I strongly support the gentleman's agreement.

I would be happy to yield to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Mr. Chairman, I thank the chairman. And just as strongly as the chairman supports it, I oppose it. Even though I supported your last amendment, this one is headed in the wrong direction.

We have a need to deal with the challenges around our stewardship of the planet Earth and the questions around climate and working with our international neighbors.

I want to commend the administration for getting an agreement with China around some of these issues. It is necessary for our children and our grandchildren and great-grandchildren that we act as proper stewards. It is our obligation at least in most of our religious teachings, that we have a responsibility to be good stewards.

So we can't ignore even for the point of profits. You mentioned how this might interfere with business interests. It is beyond the question of business interests. We need clean water, clean air, we need a climate that is capable of human habitation, at least until we can have Europa as a second exit opportunity. This is the only planet for human beings. If we don't have it, we, therefore, have a responsibility.

And the President under our Constitution is the carrier of our international activities in terms of the conduct of foreign policy, not this President or some other President, but the President of the United States has that burden and that responsibility under our Constitution.

So I would hope that the House would vote this down. I know we won't. But I also know that there will be another day in which this legislation will have to be considered in a format in which it won't be just the House majority making these decisions.

And thank God for that, because even the House majority could be wrong every once in a while, as proven by this amendment.

Mr. CULBERSON. I yield back the balance of my time.

Mr. PERRY. Mr. Chairman, I certainly respect the thoughts of my good colleague and good friend from Pennsylvania. I also want to remind him that we went through this last session. This is the very same amendment passed by vote. And while we do absolutely have the requirement and responsibility for the stewardship of the planet, I just want to remind everybody here, in case you don't know, we have these new ozone rules coming out, set to come out, or be codified in October. Yet from this administration's EPA, ozone levels have plummeted 33 percent since 1980. That is reported from the current administration's EPA. Let me just repeat that: ozone levels have plummeted 33 percent since 1980 because of the good work we have done. Yet in a downturn economy where the economy is actually contracted in the first quarter, we seek to force more unnecessary rules that are unvetted by this Congress, this people's House, on the businesses of America and also things like United Nations Agenda 21.

Mr. GARRETT. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The question was taken; and the Act-
ing Chair announced that the noes appeared to have it.

Mr. PERRY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT OFFERED BY MR. GARRETT

Mr. GARRETT. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Acting CHAIR. The Acting CHAIR. The Acting CHAIR. The Acting CHAIR. The Acting CHAIR. The Acting CHAIR.

Mr. GARRETT. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Acting CHAIR. The Acting CHAIR. The Acting CHAIR. The Acting CHAIR. The Acting CHAIR. The Acting CHAIR.

Mr. GARRETT (during the reading). Mr. Chair, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.
The Acting CHAIR. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New Jersey and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT. Mr. Chair, I yield myself such time as I may consume.

I rise today to offer an amendment that stops the Justice Department from using one of the most dangerous and illogical theories of all time, the theory of disparate impact.

In short, disparate impact allows the government to allege discrimination on the basis of race or other factors based solely on statistical analyses that find disproportionate results among different groups of consumers.

In recent years, the Justice Department has increasingly used this dubious theory in lawsuits against mortgage lenders, insurers, and landlords and has even forced companies to pay multimillion-dollar settlements.

What is wrong with that, one might ask? Under disparate impact, one could never have intentionally discriminated in any way and even have strong antidiscriminatory policies in place and still be found to have discriminated.

For example, if mortgage lenders use a completely objective standard to assess credit risk, such as the debt-to-income ratio, they can still be found to have discriminated if the data show different loan approval rates for different groups of consumers.

To be clear, I have zero tolerance for discrimination in any form; and, if there is intentional discrimination, we must prosecute to the fullest extent of the law. The Justice Department’s use of disparate impact, however, tries to circumvent that process.

On a more practical level, disparate impact will make it more difficult and expensive for families to buy a home, and it will result in more discrimination, not less.

For these reasons, both philosophical and practical, I ask my colleagues to reject this misguided theory by supporting this amendment.

I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. FATTAH. Mr. Chairman, this is obviously an important signal from the majority to Americans of color, whether they be Asian Americans, African Americans, Hispanic Americans or Native Americans, that the one thing that they don’t want is to enforce the fair housing laws and that they don’t want to have a circumstance in which, even though the impact of a set of policies means that you are excluded, that somehow there should not be any redress for that.

We went through this debate last year. I am going to ask for a recorded vote on this as I think it is an important indication of the nature of inclusiveness that Americans feel toward America by the House majority.

I reserve the balance of my time.

Mr. GARRETT. Mr. Chair, I yield myself such time as I may consume.

I think it is an indication of something. It is an indication of whether this House is more concerned about actually filing true intentional discrimination or is just creating fear in this area by saying that we are going after discrimination based upon disparate impact.

It is about whether this House is more concerned about making things easier for all races, for all ethnicities, for all ethnic groups to be able to buy homes and to live and prosper and enjoy a new home or make it more difficult to be able to buy that first home.

Allowing the Justice Department to use disparate impact will do just that. It will make it more difficult for those individuals who now find it difficult to buy a home and will not be able to use the proper risk analysis to make those decisions and, therefore, will be less likely to make those loans.

For those reasons and for the other philosophical and practical reasons I have already stated, I encourage my colleagues to support this amendment.

I yield back the balance of my time.

Mr. FATTAH. Mr. Chair, the gentleman said for practical and other philosophical reasons.

I guess, I looked at Major League Baseball and if you didn’t see anybody of color, you could assume that there was a disparate impact until Jackie Robinson showed up, but American baseball is a lot better, and I think that our country is a lot stronger because of the diversity that exists.

I think the fair housing laws have played an important role in at least the idea that we think that you shouldn’t have a circumstance in which, no matter what the set of policies, if you are a different color or ethnic background, you shouldn’t apply.

I think it is something that we have rejected as a nation. I hope we reject this amendment, and I will seek a recorded vote on it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FATTAH. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT OFFERED BY MR. MARINO

Mr. MARINO. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. 1. None of the funds made available by this Act may be used for the Department of Justice’s clemency initiative announced on April 23, 2014, or for Clemency Project 2014, or to transfer or temporarily assign employees to the Office of the Pardon Attorney for the purpose of screening clemency applications.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MARINO. Mr. Chairman, my amendment prohibits funds from this bill from being used to transfer or detail employees to the Office of the Pardon Attorney to support the administration’s so-called clemency project.

The President possesses the constitutional authority “to grant reprieves and pardons for offenses against the United States.” However, in the first 5 years of his administration, President Obama granted fewer pardons and commutations than any of his recent predecessors.

Last year, the Deputy Attorney General took the unprecedented step of asking the defense bar for assistance in recruiting candidates for executive clemency, specifically for Federal drug offenders. The Justice Department intends to beef up its Office of the Pardon Attorney to process applications for commutations of sentence for Federal drug offenders.

The Justice Department is also accepting pro bono legal work from the ACLU and other defense attorney organizations for this initiative. This amendment would prohibit that.

The Constitution gives the President the pardon power, but the fact that the President has chosen to use that power solely on behalf of drug offenders shows that this is little more than a political ploy by the administration to bypass Congress.

This is not, as the Founders intended, an exercise of the power to provide for “exceptions in favor of unfortunate guilt,” but the use of the pardon power...
power to benefit an entire class of offenders duly convicted in a court of law.

Mr. MARINO. I seek time in opposition to the amendment.

I reserve the balance of my time.

Mr. FATTAH. I seek time in opposition to the amendment.

The Acting CHAIR. The gentleman from Pennsylvania has 5 minutes.

Mr. FATTAH. The executive branch, the President of the United States, has the responsibility to review applications for pardons and clemency, and this would interfere with the executive branch's responsibility in that regard. I think that it would also hamper our ability to move this bill to a position of first passage and signature by the President, I am opposed to it.

I am glad the gentleman from Pennsylvania was able to have an opportunity to offer it and air his point of view, but I think when we have a President perhaps of a different party, there will be less enthusiasm for trying to unnecessarily interfere in the proper role of the executive, which clemencies and pardons are in the purview of the President; and detailing employees of the executive branch, for the Republican Party that is, for normally streamlining and making nimble and allowing managers to set priorities and to move personnel around, to suggest that they somehow now are against this, I assume there is some particular reason, and it couldn't be anything other than on the merits I am certain.

I thank the gentleman, and I would stand in opposition to the amendment.

I reserve the balance of my time.

Mr. MARINO. How much time do I have remaining?

The Acting CHAIR. The gentleman from Pennsylvania has 3 minutes remaining, and the other gentleman from Pennsylvania has 3 1/2 minutes remaining.

Mr. MARINO. Mr. Chairman, I would share with my good friend from Pennsylvania, no matter who is in the White House, Republican or Democrat, my enthusiasm is always at an all-time high, particularly when it comes to following the law.

The President does have the authority to pardon, but not to, as he has done here, zeroed in on a specific class of individuals who broke the law, and that is people who use drugs, sell drugs, made profits from drugs, and were duly found guilty and sentenced. This is just a way for this administration to bypass the drug laws that they don't agree with.

This administration is known for that. If they don't agree with something, they just try to bypass it, as they have done numerous times with Congress. But, fortunately, the United States Supreme Court has slapped this administration down numerous times because of bypassing Congress and making decisions that are not in its authority.

So let's be realistic about this. This isn't an issue of politics, from my perspective. I do say it is an issue of politics from the administration's perspective.

I reserve the balance of my time.

Mr. FATTAH. Mr. Chairman, I yield to the gentleman from Texas (Mr. Cuellar), the chairman, if he needs the time.

Mr. CULBERSON. I thank the gentleman from Pennsylvania.

Mr. Chairman, I do want to express my support for the gentleman's amendment. I am concerned about the efforts of this White House to repeatedly ignore the laws enacted by Congress. If we didn't have this track record from this President who has made a deliberate effort to evade the laws written by Congress and attempted to bypass them at every opportunity—the President has lost a record number of cases before the Supreme Court.

I believe, Mr. MARINO, the Supreme Court has ruled against the President unanimously on repeated occasions when the White House has attempted to avoid a statute and refused to enforce it, and Mr. MARINO brings to the table tonight experience as a prosecutor, very valid concerns about granting clemency to a whole category of people rather than as in the case of a pardon, which is on an individual basis.

I thank the gentleman for yielding me the time.

Mr. FATTAH. Reclaiming my time, we have, and it must be just inherent for politicians, selective amnesia. We kind of remember what we want to remember, and we forget what we want to forget.

Now, it has been uttered on the floor of the House that no President has done some broad swath of clemencies and pardons. President Ford who offered and President Carter who implemented a clemency or amnesty for hundreds of thousands of people who had evaded the draft during the Vietnam war.

This has nothing to do with the implementation of the laws set by our Congress. This right to the Presidency of pardons and clemency is given in the Constitution. The point here is that it is just another effort, this consistent, this consistent effort at this President who has made a deliberate effort to bypass the drug laws that they didn't have this track record from any other President, and I am sure they will do it again.

This will not be the law at the end of the day when this bill is passed. I oppose it, and there is no President that is going to sign away their executive authority. It would diminish the power of the Presidency. And perhaps for the majority if they were to gain this Presidents again—and I am sure they will on some election—they wouldn't want to diminish the power of the Presidents. I think it is just ill-fated and it is focused at a particular effort at this moment. This amendment represents a historical fact that a President has not provided broad exemption or clemency or pardons in our past.

I yield back the balance of my time.

Mr. MARINO. How much time do I have remaining?

The Acting CHAIR. The gentleman from Pennsylvania has 1 1/2 minutes remaining.

Mr. MARINO. I am sure in my remarks my colleague is not referring to any comment that I made that no other President has done something of this nature. I came to Congress in 2011. Really, my concern is what is happening with this administration, not past administrations. I am dwelling on the future and the rule of law.

It is very clear what this administration is doing when it comes to the rule of law or the lack of rule of law. Once again, this administration does not like the drug laws. It has a very difficult time with the criminal laws that are on the books.

I was a prosecutor for 18 years at the State level and the Federal level. I have seen what takes place concerning drugs. I have put people in prison for selling drugs; I have put people in prison for hurting people; I have sold drugs to; and I have taken the position where some people did not deserve to go to prison based on several factors. But the individuals that I sent to prison, and I think, overwhelmingly, according to the criteria that this administration has set, they are talking about individuals that have a sentence of 10 years or less, that is quite a sentence to pardon, because those individuals have served their time, in my experience, for 5 and 6 and 10 years are major drug dealers.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. MARINO).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. AUSTIN SCOTT OF GEORGIA

Mr. AUSTIN SCOTT of Georgia. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

At the end of the bill insert:

SEC. 99. None of the funds made available by this Act may be used by the National Oceanic and Atmospheric Administration to enforce:

1) Amendment 40 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico lasting longer than five times the number of days recreational fishers are allowed to catch and retain at least two such fish each day in such federal waters.

Mr. AUSTIN SCOTT of Georgia (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading.
Mr. FATTAH. Reclaiming my time, in spirit, I support this. I don’t know what the unintended consequences are. So I would be prepared to accept it, as long as we can dig into it and make sure there are no unintended circumstances.

I know this is a very parochial matter. I think you should be able to take your kid out fishing. I don’t think that profit is the only motivator in the world. I don’t know why it would be so arbitrary or a cut line.

At this point I would like to work with the chairman on this. I would be prepared to accept it at this time. If we find some major problem with it, we will jump up and down about it then.

Mr. CULBERSON. Will the gentleman yield?

Mr. FATTAH. I yield to the gentleman from Texas.

Mr. CULBERSON. I completely agree, and I join my ranking member in accepting this amendment and working with you. If there is something we didn’t spot or anticipate, we will work it out. But I think the gentleman has got a good amendment, and I would agree, I would recommend we would accept it.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I would like to say that as a dad, honestly, I would like to say thank you for doing this. And certainly, if there are unintended consequences, I would look forward to working with you to resolve those unintended consequences.

Again, as a father of a son named Wells and a daughter named Carmen and a lovely wife named Vivien, I just want to say thank you.

Mr. FATTAH. My wife is a fly fisher. We are not doing red snapper. But I understand the spirit of it, and we will take it at that, and I yield back the balance of my time.

Mr. AUSTIN SCOTT of Georgia. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. AUSTIN SCOTT).

The amendment was agreed to.

Mr. CULBERSON. Mr. Chairman, I move that the Committee do now rise.

Mr. FATTAH. Reclaiming my time, I would accept it. As I understand the spirit of it, I support this. I don’t know what the unintended consequences are.

Mr. CULBERSON. I completely agree, and I join my ranking member in accepting this amendment and working with you. If there is something we didn’t spot or anticipate, we will work it out. But I think the gentleman has got a good amendment, and I would agree, I would recommend we would accept it.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I would like to say that as a dad, honestly, I would like to say thank you for doing this. And certainly, if there are unintended consequences, I would look forward to working with you to resolve those unintended consequences.

Again, as a father of a son named Wells and a daughter named Carmen and a lovely wife named Vivien, I just want to say thank you.

Mr. FATTAH. My wife is a fly fisher. We are not doing red snapper. But I understand the spirit of it, and we will take it at that, and I yield back the balance of my time.

Mr. CULBERSON. I yield to the gentleman from Georgia (Mr. AUSTIN SCOTT).

The amendment was agreed to.

Mr. CULBERSON. Mr. Chairman, I move that the Committee do now rise.

Mr. FATTAH. Reclaiming my time, I would accept it. As I understand the spirit of it, I support this. I don’t know what the unintended consequences are.
MEMORIALS

Under clause 3 of Rule XII, memorials were presented and referred as follows:

36. The SPEAKER presented a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Resolution No. 101, pertaining to extending federal and mutually beneficial relationship with the United States; to the Committee on Foreign Affairs.

37. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial No. 1001, urging the Congress to oppose the designation of the Grand Canyon Watershed National Monument in Northern Arizona; to the Committee on Natural Resources.

38. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Concurrent Memorial No. 2005, urging the United States government to immediately and not later than December 31, 2019 dispose of the public lands within Arizona’s borders directly to the State of Arizona; to the Committee on Natural Resources.

39. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Concurrent Resolution No. 9, urging the President to allow an additional 25,000 refugees for placement in Michigan; to the Committee on the Judiciary.

40. Also, a memorial of the House of Representatives of the State of Arizona, relative to Senate Concurrent Memorial 1001, urging the Congress to enact legislation that confirms that state law determines the entire scope of R.S. 2477 Right-of-Way; to the Committee on Transportation and Infrastructure.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representa-
tives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. CLARK of Massachusetts:

H.R. 2602. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Paragraph 18.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Ms. DELAURO:

H.R. 2616.

Article I, Section 8, Clause 1: "The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. SMITH of Texas:

H.R. 2613.

Article I, Section 8, Clause 18: "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof"

By Mr. SMITH of New Jersey:

H.R. 2621.

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. KATKO:

H.R. 2622.

Article I, Section 8, Clause 1: "The Congress shall have power To lay and collect taxes, duties, imposts and excises, and to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States"

By Mr. TORNY:

H.R. 2623.

Mr. CRAWLEY:

H.R. 2624.

A page of a document with a table of legislation references.
Page 31, line 20, after the dollar amount, insert “(reduced by $2,806,000)”.
Page 32, line 5, after the dollar amount, insert “(reduced by $111,199,000)”. 
Page 33, line 5, after the first dollar amount, insert “(reduced by $40,625,000)”. 
Page 33, line 19, after the dollar amount, insert “(reduced by $49,000,000)”. 
Page 34, line 19, after the dollar amount, insert “(reduced by $136,500,000)”. 
Page 36, line 7, after the dollar amount, insert “(reduced by $124,000,000)”. 
Page 38, line 9, after the dollar amount, insert “(reduced by $11,060,000)”. 
Page 38, line 18, after the dollar amount, insert “(reduced by $5,000,000)”. 
Page 39, line 24, after the dollar amount, insert “(reduced by $1,000,000)”. 
Page 41, line 5, after the dollar amount, insert “(reduced by $50,000)”. 
Page 41, line 19, after the dollar amount, insert “(reduced by $5,000,000)”. 
Page 42, line 24, after the dollar amount, insert “(reduced by $70,600,000)”. 
Page 43, line 1, after the dollar amount, insert “(reduced by $33,000,000)”. 
Page 43, line 8, after the dollar amount, insert “(reduced by $2,000,000)”. 
Page 43, line 23, after the dollar amount, insert “(reduced by $35,000,000)”. 
Page 46, line 19, after the dollar amount, insert “(reduced by $5,000,000)”. 
Page 47, line 7, after the dollar amount, insert “(reduced by $5,000,000)”. 
Page 49, line 1, after the dollar amount, insert “(reduced by $4,000,000)”. 
Page 49, line 6, after the dollar amount, insert “(reduced by $52,500,000)”. 
Page 49, line 16, after the dollar amount, insert “(reduced by $5,000,000)”. 
Page 60, line 19, after the dollar amount, insert “(reduced by $29,000,000)”. 
Page 61, line 10, after the dollar amount, insert “(reduced by $50,000,000)”. 
Page 61, line 12, after the dollar amount, insert “(reduced by $100,650,000)”. 
Page 61, line 14, after the dollar amount, insert “(reduced by $100,650,000)”. 
Page 61, line 25, after the dollar amount, insert “(reduced by $100,650,000)”. 
Page 62, line 1, after the dollar amount, insert “(reduced by $100,650,000)”. 
Page 62, line 18, after the dollar amount, insert “(reduced by $129,500,000)”. 
Page 63, line 23, after the dollar amount, insert “(reduced by $120,650,000)”. 
Page 64, line 9, after the dollar amount, insert “(reduced by $5,900,000)”. 
Page 65, line 1, after the first dollar amount, insert “(reduced by $50,000,000)”. 
Page 66, line 20, after the dollar amount, insert “(reduced by $5,000,000)”. 
Page 69, line 7, after the first dollar amount, insert “(reduced by $5,790,000)”. 
Page 98, line 20, after the dollar amount, insert “(increased by $1,398,212,000)”. 

H.R. 2578
OFFERED BY: MR. GRAYSON
AMENDMENT No. 21: Page 16, line 16, after the dollar amount, insert “(increased by $35,000)”. 
Page 36, line 7, after the dollar amount, insert “(increased by $5,000,000)”. 
Page 38, line 9, after the dollar amount, insert “(increased by $5,000,000)”. 
Page 46, line 19, after the dollar amount, insert “(increased by $50,000,000)”. 
Page 47, line 7, after the dollar amount, insert “(increased by $5,000,000)”. 
Page 49, line 1, after the dollar amount, insert “(increased by $4,000,000)”. 
Page 49, line 6, after the dollar amount, insert “(increased by $52,500,000)”. 
Page 49, line 16, after the dollar amount, insert “(increased by $5,000,000)”. 
Page 60, line 19, after the dollar amount, insert “(increased by $29,000,000)”. 
Page 61, line 10, after the dollar amount, insert “(increased by $50,000,000)”. 
Page 61, line 12, after the dollar amount, insert “(increased by $100,650,000)”. 
Page 61, line 14, after the dollar amount, insert “(increased by $100,650,000)”. 
Page 61, line 25, after the dollar amount, insert “(increased by $100,650,000)”. 
Page 62, line 1, after the dollar amount, insert “(increased by $100,650,000)”. 
Page 62, line 18, after the dollar amount, insert “(increased by $129,500,000)”. 
Page 63, line 23, after the dollar amount, insert “(increased by $120,650,000)”. 
Page 64, line 9, after the dollar amount, insert “(increased by $5,900,000)”. 
Page 65, line 1, after the first dollar amount, insert “(increased by $50,000,000)”. 
Page 66, line 20, after the dollar amount, insert “(increased by $5,000,000)”. 
Page 98, line 20, after the dollar amount, insert “(increased by $1,398,212,000)”. 

H.R. 2578
OFFERED BY: MR. GARAMENDI
AMENDMENT No. 22: At the end of the bill (before the short title), add the following new section:
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Sec. ___ None of the funds made available by this Act may be used to enter into a contract or any offer or any of its principals if the offeror certifies, as required by Federal Acquisition Regulation, that the offeror or any of its principals:
(A) is or has been convicted of or has a civil judgment rendered against it for: commiss-
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Page 70, line 7, after the dollar amount, insert "(increased by $400,000)".
H.R. 2578
OFFERED BY: MS. JACKSON LEE
AMENDMENT NO. 36: Page 12, line 9, after the dollar amount, insert "(decreased by $2,000,000)".
Page 72, line 7, after the first dollar amount, insert "(increased by $2,000,000)".
H.R. 2578
OFFERED BY: MS. JACKSON LEE
AMENDMENT NO. 37: Page 34, line 19, after the dollar amount, insert "(reduced by $104,000,000)".
Page 61, lines 10 and 12, after the dollar amount, insert "(increased by $104,000,000)".
H.R. 2578
OFFERED BY: MS. JACKSON LEE
AMENDMENT NO. 38: Page 34, line 19, after the dollar amount insert "(reduced by $1,000,000)".
Page 63, line 3, after the dollar amount insert "(increased by $1,000,000)".
H.R. 2578
OFFERED BY: MS. JACKSON LEE
AMENDMENT NO. 39: At the end of the bill (before the short title), insert the following:
SEC. 38. None of the funds made available by this Act for the Department of Justice—Administrative Review and Appeals may be used in contravention of sections 509 and 510 of title 28, United States Code.
H.R. 2578
OFFERED BY: MR. GRAYSON
AMENDMENT NO. 40:
SEC. 39. None of the funds made available by this Act may be used to negotiate or enter into a trade agreement whose negotiating texts are confidential. The limitation described in this section shall not apply in the case of the administration of a tax or tariff.
H.R. 2578
OFFERED BY: MR. GRAYSON
AMENDMENT NO. 41:
SEC. 40. None of the funds made available by this Act may be used to negotiate or enter into a trade agreement that contains an investor-state dispute settlement provision. The limitation described in this section shall not apply in the case of the administration of a tax or tariff.
The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER
The Chaplain, Dr. Barry C. Black, offered the following prayer:
Let us pray.

God of our forebears, Author of liberty, search our hearts and minds in order that we might better know ourselves, Lord, help us to comprehend what we need to better represent You. Empower us to live exemplary lives that are worthy of Your great love.

Give our lawmakers a renewed loyalty to protecting the freedoms that Americans hold dear. May our Senators use their stewardship of position and influence to ensure that America is a shining city upon a hill. May their highest incentive be not to win over one another but to win with one another by doing Your will for all.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE
The President pro tempore led the Pledge of Allegiance, as follows:
I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER
The PRESIDING OFFICER (Ms. COLLINS). The majority leader is recognized.

NATIONAL SECURITY LEGISLATION
Mr. MCCONNELL. Madam President, I wish we had been able to move the cloture and amendment votes we will consider today to yesterday. I made an offer to do so because it is hard to see the point in allowing yet another day to elapse when everyone has already had a chance to say their piece, when the end game appears obvious to all, and when the need to move forward in a thoughtful but expeditious manner seems very clear: this is the Senate, and Members are entitled to different views and Members have tools to assert those views. It is the nature of the body where we work.

Moreover, it is important to remember that it was not just the denial of consent which brought us to where we are. The kind of short-term extension that would have provided the Senate with the time and space it needed to advance bipartisan compromise legislation through regular order was also blocked in a floor vote.

But what has happened has happened, and we are where we are. Now is the time to put all that in the past and work together to diligently make some discrete and sensible improvements to the House bill.

Before scrapping an effective system that has helped protect us from attack in favor of an untried one, we should at least work toward securing some modest degree of assurance that the new system can, in fact, actually work. The Obama administration also already told us that it would not be able to make any firm guarantees in that regard—that it would work—at least the way the bill currently reads. And the way the bill currently reads, there is also no requirement—no requirement—for the retention and availability of significant data for analysis. These are not small problems.

The legislation we are considering proposes major changes to some of our Nation’s most fundamental and necessary counterterrorism tools. That is why the revelations from the administration shocked many Senators, including a lot of supporters of this legislation. It is simply astounding that the very government officials charged with implementing the bill would tell us, both in person and in writing, that if it turns out this new system doesn’t work, then they will just come back to us and let us know. If it doesn’t work, they will just come back and let us know. This is worrying for many reasons, not the least of which is that we don’t want to find out the system doesn’t work in a far more tragic way.

That is why we need to do what we can today to ensure that this legislation is as strong as it can be under the circumstances.

Here are the kinds of amendments I hope every Senator will join me in supporting today.

One amendment would allow for more time for the construction and testing of a system that does not yet exist. Again, one amendment would allow for more time for the construction and testing of a system that does not yet exist.

Another amendment would ensure that the Director of National Intelligence is charged with at least reviewing and certifying the readiness of the system.

Another amendment would require simple notification if telephone providers—the entities charged with holding data under this bill—elect to change their data-retention policies. Let me remind my colleagues that one provider has already said expressly and in writing that it would not commit to holding the data for any period of time under the House-passed bill unless compelled by law. So this amendment represents the least we can do to ensure we will be able to know, especially in an emergency, whether the dots we need to connect have actually been wiped away.

We will also consider an amendment that would address concerns we have heard from the nonpartisan Administrative Office of the U.S. Courts—in other words, the lifetime Federal judges who actually serve on the FISA Court. In a recent letter, they wrote that the proposed amicus provision ‘could impede the FISA Courts’ role in
With the advent of a new Congress and newly proposed legislation, it seems helpful to restate briefly some key attributes of the work of the FISA Courts.

The vast majority of the work of the FISC involves individual applications in which experienced judges apply well-established law to a set of factual circumstances—a process not dissimilar to the extra consideration of ordinary criminal search warrant applications. Review of one or more proposed bulk orders involving bulk collection are a relatively small part of the docket, and applications involving novel legal questions, though obviously important, are rare.

In all matters, the FISA Courts currently depend on—and will always depend on, prompt and complete candor from the government in presenting the courts with all relevant information because the government is typically the only source of such information.

A “read copy” practice—similar to the practices employed in some federal district courts for Title III wiretap applications—wherein the government provides the FISC with an advance copy of a planned application, is the major avenue for court modification of government-sought surveillance. About a quarter of “read copies” are modified or withdrawn prior to the FISC before the government presents a final application—in contrast to the overwhelming majority of formal applications that are approved by the Court because modifications at the “read copy” stage have addressed the Court’s concerns in cases where final applications are submitted.

The FISC typically works in an environment where, for national security reasons and because of statutory requirements, time is of the essence, and collateral litigation, including for discovery, would generally be completely impractical.

At times, the FISA Courts are presented with challenging issues regarding how existing law applies to novel technologies. In these instances, the FISA Courts could benefit from a conveniently available explanation or evaluation of the technology from an informed non-government source. Congress could assist in this regard by clarifying that the political branches are considering national security reasons and because of statutory requirements, time is of the essence, and collateral litigation, including for discovery, would generally be completely impractical.

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I ask unanimous consent that the Senate stand in recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

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

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

The PRESIDING OFFICER. The clerk will count the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

RESERVATION OF LEADER TIME

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

USA FREEDOM ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2048, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2048) to reform the authorities under the Foreign Intelligence Surveillance Act of 1978, as amended, to enhance the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of electronic surveillance for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

Pending:

McConnell/Burr amendment No. 1449, in the nature of a substitute.

McConnell amendment No. 1450 (to amendment No. 1449), of a perfecting nature.

McConnell amendment No. 1451 (to amendment No. 1450), relating to appointment of amicus curiae.

McConnell/Burr amendment No. 1452 (to the language proposed to be stricken by amendment No. 1449), of a perfecting nature.

McConnell amendment No. 1453 (to amendment No. 1452), to change the enactment date.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak for 2 minutes as in morning business.

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

MEMORIALIZING NATIONAL GUN VIOLENCE AWARENESS DAY

Mr. DURBIN. Mr. President, on January 29, 2013, Hadiya Pendleton was gunned down while standing in a park on the South Side of Chicago. Hadiya was a talented, beautiful, caring young woman with a bright future ahead of her. She was 15 years old, a sophomore honor student at King College Prep. Her family described her as a spectacular source of joy and pride for them.

One week before her death, Hadiya was here in Washington with her school band, performing for President Obama’s second inauguration. She was thrilled by that opportunity. But a few days later, she was gone, murdered by men who mistook her and friends for members of a rival gang.

What a senseless tragedy to lose children to gun violence. It happens every day in America. Overall, on average, 88 Americans are killed by gun violence every day.

Today, June 2, 2015, would have been Hadiya Pendleton’s 18th birthday. Today also marks the first annual National Gun Violence Awareness Day. It is an idea that was inspired by Hadiya’s family and friends in Chicago.

They decided they would ask us to wear something orange today. It is a color that hunters use when they are in the woods to make sure that no one shoots them.

All across the Nation, Americans are wearing orange in tribute to Hadiya Pendleton, in tribute to the tens of thousands of other Americans killed by gun violence every year, and in support of a simple goal: Keep our kids safe. I am proud to join them in wearing orange today. I want to commend Hadiya’s parents—my friends—Nate and too, her brother Nate, Jr., and her friends who have turned their pain into purpose.

They are working to reduce the scourge of gun violence and to spare other families and loved ones what the family of Hadiya and her friends have turned their pain into purpose.

The Judiciary, like the public, did not participate in the discussions between the Administration and congressional leaders that led to H.R. 2048 (publicly released on April 28, 2015 and reported by the Judiciary Committee without changes on April 30). In the few days we have had to review the bill, we have noted a few technical concerns that we hope can be addressed prior to finalization of the legislation, should Congress choose to enact it. These concerns (all in the amicus curiae subsection) include:

Proposed subparagraph (9) appears inadvertently to omit the ability of the FISA Courts to train and administer amici between the time they are designated and the time they are appointed.

Proposed subparagraph (6) does not make any provision for a “true amicus” appointed under subparagraph (2)(B) to receive necessary information.

We are concerned that a lack of parallel construction in proposed clause (6)(A)(i) (apparently differentiating between access to legal precedent as opposed to access to other materials) could lead to confusion in its application.

We recommend adding additional language to clarify that the exercise of the duties under proposed subparagraph (9) would occur in the context of Court rules (for example, deadlines and service requirements).

We believe that slightly greater clarity could be provided regarding the nature of the obligations referred to in proposed subparagraph (10). These concerns would generally be avoided or addressed by substituting the FISA approach. Furthermore, it bears emphasizing that, even if H.R. 2048 were amended to address all of these technical points, our more fundamental concerns about the “panel of experts” approach would not be assuaged. Nonetheless, our staff stands ready to work with your staff to provide suggested textual changes to address each of these concerns.

Finally, although we have no particular objection to the requirement in this legislation of a report by the Director of the AO, Congress should be aware that the AO’s role would be to receive information from the FISA Courts and then simply transmit the report as directed by law.

For the sake of brevity, we are not restating here all the comments in our previous correspondence to Congress on proposed legislation similar to H.R. 2048. However, the issues raised in these letters continue to be of importance to us.

We hope these comments are helpful to the House of Representatives in its consideration of this legislation. If we may be of further assistance in this or any other matter, please contact me or our Office of Legislative Affairs at 202-522-1700.

Sincerely,

JAMES C. DUFF
Director.

ORDER OF PROCEDURE

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate stand in recess from 12:30 p.m. until
ever wanted to see Americans die again because our Nation failed to use the tools and capabilities it had to prevent terrorist attacks.

We have had terrorist attacks since that time. The Boston Marathon is an example of an attack that occurred despite our best efforts, but we have been able to thwart and uncover and detect and stop terrorist attacks—both here and abroad—due to the important tools and capabilities our government has. Like the Presiding Officer, I have sat through countless hours of briefings, I have asked the hard questions about our intelligence programs, and I have challenged those who have come before us.

I wish to explain how the current program works at NSA because I believe there is so much misinformation about this important program. One of the most egregious misinformation points that have been made is that the NSA is listening to the content of calls made by American citizens to other American citizens. That is simply not true.

Let me tell you how this program works. First, it starts with a call, a phone number from a foreign terrorist or a foreign terrorist organization. When we get a foreign terrorist—who is based overseas—telephone number, the NSA is allowed to query a database to see if that foreign-based terrorist is calling someone in our country. Why is that important? Well, we know ISIS and other terrorist groups have been recruiting Americans and trying to train them to attack our country. That is why it is important.

Only 34 high-trained, vetted Federal employees are allowed to query that database, and even then they are allowed to do so only if a Federal judge finds that a standard has been reached to allow that query to be made. Even if that query is approved by that Federal judge, the analyst can only see the phone numbers called by the terrorist, the date, the time, and the duration of the call.

If there is a match, then the case is turned over to the FBI for further investigation. The FBI must get a court order to wiretap the phone of the American who is talking to that foreign terrorist.

Last month, during a Senate Appropriations Committee hearing, I asked the Attorney General whether there have ever been any privacy violations regarding that telephone data. She replied no.

I am truly perplexed that anyone would argue that telephone data are better protected in the hands of 1,400 telecom companies and 160 wireless carriers than in a secure NSA database that only 34 carefully vetted and trained employees are allowed to query under the supervision of a Federal judge.

Under the USA FREEDOM Act—the House bill—when we get the telephone number of an overseas terrorist, we potentially are going to have to go to each one of those 1,400 telecom companies, 160 wireless carriers, which potentially will involve thousands of people. The privacy implications are far greater if we have the telecoms control the data, far greater.

Moreover, we know private sector data is far more susceptible to hackers, to criminals. Look at all the breaches of sensitive data that have occurred during the past year alone. Plus, I simply don’t think the system will work without a data-retention requirement now that most carriers have flat-rate telephone plans that don’t require detailed call data records. The telecom companies have made very clear they will oppose any bill with a data-retention requirement, and there will be a race to the bottom to market the data in a way that says to people: Sign up with us and your data will be safe from the government.

That kind of demagoguery—even though the commerce committee has done an excellent study that shows the data broker companies sell our personal data, including our names, our phone numbers, our addresses to the intelligence community and other purposes, and some of that data ends up in the hands of con artists.

So I don’t see how vesting the authority in the telecom communications companies increases the privacy of our data, I think just the opposite is the case. It is going to be less secure because it is going to be more exposed to hackers and criminals who will attempt to do data breaches and have successfully done so. It is going to be less secure because instead of 34 people having access to just the phone numbers and call duration data, we are going to have potentially thousands of people who are going to be asked to query their database. The system is going to become less secure because there is absolutely no guarantee this data will be retained by the telecom companies and the wireless carriers.

Finally, I am persuaded by the cautions given to us by the direct warnings of former Director of the FBI Robert Mueller and the former Deputy Director of the CIA Mike Morell, who tell us that had this program been in place prior to 9/11, it is likely that terrorist plot would have been uncovered and thwarted.

The fact is the House bill substantially weakens a vital tool in our counterterrorism efforts at a time when the terrorist threat has never been higher. The current program has never been abused. The government cannot listen to your phone calls unless there is a court order—because you are directly communicating with an overseas terrorist—and then it goes to the FBI for investigation.

It is a false choice we have to choose between our civil liberties and keeping our country safe. There are actions we can and should take to strengthen the privacy protections in the NSA program. Several were included in the bipartisan bill reported by the Intelligence Committee last year. Unfortunately, the USA FREEDOM Act provides a false sense of privacy at the expense of our national security.

For these reasons, while I will support the amendments today to try to make modest improvements to the House bill, I simply cannot support the bill in final passage.

Yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent to speak for an additional 7 minutes, to be divided between Senator Leahy and myself.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I thank the Senator from Utah for his courtesy.

The fact is the USA FREEDOM Act that was passed overwhelmingly in the House of Representatives—that has strong bipartisan support here—is supported by the Director of National Intelligence. It is also supported by our Attorney General. It is supported by our Intelligence Community. And it is a step forward because, ultimately, the legislation protects the privacy of individuals.

I agree with the Senator from Maine that we have strong restrictions at the NSA on the information. However, they were not strong enough, of course, to stop Edward Snowden from walking off with all the information that was there.

We had six public hearings on these issues in the Senate Judiciary Committee last Congress. The original USA FREEDOM Act was introduced by Senator LEE and me and Congressman Jim Sensenbrenner in the House.

We all knew section 215, the roving wiretap authority, and “lone wolf” provision, would expire June 1, 2015. That is why we started working to change it. We also had a Second Circuit Court of Appeals decision that made part of the program illegal.

I think what we have in the USA FREEDOM Act is a carefully crafted bill by both Republicans and Democrats in the House and the Senate. That is why it passed 338 to 88 in the House. If we start amending it, we don’t know how much longer it is going to take and we end up with no protections. I think that is not a choice we want to make.

On Sunday night, with only a few hours before the sunset of section 215 and the other two expiring FISA authorities, Republican leadership in the Senate finally agreed to begin debate on the USA FREEDOM Act.

For nearly 2 years, I have been working on a bipartisan basis with members in both the Senate and the House to address these matters. As chairman of the Senate Judiciary Committee last Congress, I convened six public hearings to examine the NSA’s bulk collection program and consider reforms to
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section 215 and other surveillance authorities.

In October 2013, I introduced the original USA FREEDOM Act with Congress-
man JIM SENSENBRUNNER, Senator LEE, and others. We introduced an up-
dated version of the USA FREEDOM Act in 2014 and pushed for the Senate to pass that bill last November, months before Sunday’s expiration date.

The American people were demanding meaningful reforms, but the intel-
ligence community also needed operational certainty.

We all knew that section 215, the roving wiretap authority, and the lone wolf provision would expire on June 1. That is why I started working months ago with Members of Congress from both parties and both Chambers to forge a compromise that protects both Americans’ privacy and our national security.

We were able to reach agreement on a bill that certainly does not go as far as I would like, but that definitively ends the NSA’s bulk collection of phone records, improves transparency and accountability, and includes other important reforms.

Our bill—the USA FREEDOM Act—contains a provision that would end bulk collection, which has now earned the support of the intelligence community, privacy and civil liberties groups, librarians, the tech industry, and a bipartisan super-majority of the Repub-
lican-led House of Representatives. Our bill represents significant progress to-
ward real surveillance reform.

Unfortunately, the Republican leadership in the Senate has tried to block this progress at every turn. They blocked the Senate from debating the USA FREEDOM Act last November. They again blocked the Senate from debating the bill 2 weeks ago, despite knowing full well that failure to swiftly consider the House-passed bill would lead to expiration of these critical surve-

This bill protects America’s national security, and it does so in a way that is respectful of the privacy interests and both the letter and the spirit of the Fourth Amendment.

While the government understands intuitively that it is none of the govern-
ment’s business whom they are calling, when they are calling them, who calls them, and how long their calls last. The American people intuitively un-
derstand what graduate researchers have confirmed, which is that this type of calling data—even just the data itself, not anything having to do with recorded conversations, just the data— reveals a lot about an individual, about his or her political preferences, reli-
gion, and so many other important interests the American people deeply care about.

Moreover, the way this data is collected is consistent with the way our government is supposed to operate. Rather than going out and demon-
strating some type of connection be-

Let us have no more unnecessary delay or political brinksmanship. It is time to do our jobs for the American people—to protect their privacy and maintain our national security. Now is not the time to seek unnecessary changes to this bill. If Senators believe that the Senate should consider some of these changes, we can consider them after we pass the USA FREEDOM Act.

I urge the Senate to vote for cloture because we need to move forward. We cannot afford to waste any more time. The USA FREEDOM Act includes im-
portant reforms, and we need to give the intelligence community the tools they need to keep us safe. That means:

This bill represents a good compromise. This bill represents reason. This bill is consistent with America’s na-
tional security while also protecting privacy. This bill, in so doing, recogn-
izes that our privacy is not and ought not ever be deemed to be in conflict with our security. Our privacy is, in fact, the foundation of our security.

We are, unfortunately, considering this bill with too little time left. In ef-
fect, we are considering this bill after the PATRIOT Act provisions at issue have expired. This is unfortunate. It highlights the need for a longstanding bipartisan problem within the Senate—a problem pursuant to which we establish these artificially designed deadlines.

We have known about this particular deadline for 4 years. For 4 years, we knew these provisions were going to expire. We should have taken up these provisions far in advance of now. Many of us tried. We did so unsuccessfully. Senator LEAHY and I and others have been working on this for more than 300 votes. This is a testament to the fact that in so many instances there is more that unites us than divides us in today’s political environment. This is an example of the type of win-win situ-

The American people understand intui-

tively that it is none of the govern-

ment’s business whom they are calling, when they are calling them, who calls them, and how long their calls last. The American people intuitively un-
derstand what graduate researchers have confirmed, which is that this type of calling data—even just the data itself, not anything having to do with recorded conversations, just the data— reveals a lot about an individual, about his or her political preferences, reli-
gion, and so many other important interests the American people deeply care about.
I urge my colleagues to support this legislation.

Mr. President, this week the Senate will consider the USA FREEDOM Act of 2015, H.R. 2048. I am proud to have introduced the Senate companion to this legislation, Senator PATRICK LEAHY, ranking member of the Senate Judiciary Committee. We have worked closely with our partners in the House of Representatives, House Judiciary Committee Chairman BOB GOODLATTE, Ranking Member JOHN CONyers, and Congressmen JIM SENSENBRENNER and JERROLD NADLER.

Since revelations in June 2013 that the National Security Agency was secretly and indiscriminately collecting Americans’ telephone records, Senator LEAHY and I have worked together on legislation to end this mass surveillance program and to enact greater transparency and oversight over the government’s intelligence gathering operations. The USA FREEDOM Act of 2015 is the result of that 2-year collaboration, and it contains strong reforms. Most importantly, it would definitively end the NSA’s bulk collection of Americans’ telephone metadata and ensure that the Foreign Intelligence Surveillance Act (FISA) order, after statute and federal court review, can no longer be used to justify bulk collection.

On May 13, 2015, the House passed the USA FREEDOM Act by an overwhelming, bipartisan 338-to-88 vote. More than 80 percent of House Republicans and 75 percent of House Democrats voted for the bill, including the chairmen and ranking members of the House Judiciary and Intelligence Committees, as well as the leadership of both parties.

The resounding vote in the House is a direct result of the commonsense and meaningful reforms contained in the bill. It is also a testament to the will of the American people, who have been unequivocally demanding reform and their demand that the NSA stop the indiscriminate collection of their private records.

As our colleagues in the Senate consider the USA FREEDOM Act of 2015, Senator LEAHY and I want to detail the extensive legislative process undertaken to develop this bill and provide additional clarity on the bill’s provisions.

Mr. LEAHY, I know that you have a long history of pushing for meaningful reforms to make our government’s intelligence gathering operations more transparent and accountable.

Mr. LEAHY, I thank the Senator from Utah for his advocacy on behalf of Americans’ privacy rights and for his dedicated efforts to end the NSA’s illegal program.

In June 2013, Americans learned for the first time that section 215 of the USA PATRIOT Act has for years been secretly interpreted to authorize the collection of Americans’ phone records on an unprecedented scale. And they learned that the NSA has engaged in repeated, substantial legal violations in its implementation of section 215 and other surveillance authorities.

Since that time, Congress and the American public have been engaged in an important debate about the breadth of government surveillance powers and the procedures that authorize the collection of Americans’ data. Under my chairmanship last Congress, the Senate Judiciary Committee held six open and public hearings that sharpened the committee’s thinking on these important issues. Senator LEAHY, Congressman JIM SENSENBRENNER, Congressman JOHN CONYERS, and I introduced bicameral, bipartisan legislation, the USA FREEDOM Act of 2013, S. 1599/H.R. 3361, on October 29, 2013, to end bulk collection and reform our surveillance laws. The President announced his support for ending the bulk collection of Americans’ phone records in March 2014. The House of Representatives passed a new version of the USA FREEDOM Act in May 2014, and after lengthy discussions with the executive branch, the technology industry, privacy advocates, and other stakeholders, Senator LEAHY and I introduced the USA FREEDOM Act of 2014, S. 2646/H.R. 1806. On November 18, 2014, the full Senate failed to invoke cloture on the motion to proceed to the USA FREEDOM Act of 2014, by a vote of 58 to 42.

Despite falling two votes shy last Congress, Senator LEAHY and I knew that the May 31, 2015, expiration date was approaching, and we continued to work on a bill to reform these authorities. Senator LEE, can you explain the process we have undertaken this year?

Mr. LEE. Since November 2014, Senator LEAHY and I have been engaged in conversations with House Judiciary Committee Chairman GOODLATTE, Ranking Member CONCENSUS, and Congressmen SENSIGN, CONNAS and NADLER, to develop a new version of the USA FREEDOM Act. After extensive negotiations with the administration, intelligence community officials, privacy and civil liberties groups, the technology industry, and other stakeholders, we introduced the USA FREEDOM Act of 2015, S. 1123/H.R. 2048, on April 28, 2015.

Of course, the USA FREEDOM Act of 2015 was not introduced in a vacuum. Nearly 2 years ago, on June 5, 2013, the Guardian newspaper published an article and posted a classified FISA Court order revealing that the U.S. Government had been engaging in the bulk collection of Americans’ telephone metadata. One day later, on June 6, 2013, the Washington Post published an article and posted further classified information about a separate government surveillance program called PRISM involving the collection of the contents of Internet communications. The administration was subsequently required to certify that the NSA’s bulk collection of telephone metadata was being conducted pursuant to section 215 of the USA PATRIOT Act. The NSA’s PRISM program to collect the contents of Internet communications of certain overseas targets was being conducted pursuant to section 702 of FISA, which was enacted as part of the FISA Amendments Act.

The programs were revealed, then-Chairman LEAHY convened a number of hearings so that the American people could better understand what the NSA was doing.

Mr. LEAHY, can you remind us of the Judiciary Committee’s activities in the 113th Congress?

Mr. LEAHY. As I mentioned, during the last Congress, the Senate Judiciary Committee held six open, public hearings to examine the legal basis, effectiveness, and impact of these programs on Americans’ privacy rights and civil liberties. We heard testimony from a wide range of government officials, legal scholars, technologists, and outside experts as the Committee sought to understand and evaluate the numerous issues raised by these activities.

On July 31, 2013, I chaired the first full Judiciary Committee hearing to examine government programs with administration officials and outside experts. At the hearing, the NSA Deputy Director confirmed that the NSA’s bulk telephony program did not help to thwart dozens of terrorist plots—specifically administration officials defending the program had been contending. He confirmed that section 215 was only uniquely valuable in thwarting one terrorist “plot”—the case of Basaaly Moalin, a Somali immigrant who was convicted of material support for sending $3,500 to al-Shabaab in Somalia.

As a result of continued public debate about the government’s surveillance activities, on August 9, 2013, President Obama announced that he was ordering the Director of National Intelligence, DNI, to establish a group of outside experts to review the government’s intelligence and communication technology and to develop recommendations on possible reforms to surveillance authorities. He also announced the public release of additional documents, including a Department of Justice white paper outlining the legal justification for the section 215 bulk collection program.

Over the course of the following months, the DNI declassified and released a host of documents related to activities conducted under section 215 of the USA PATRIOT Act and section 702 of FISA. The released documents detailed serious incidents of non-compliance and violations of law in implementing both of these programs. For example, the documents revealed several legal problems and were highly critical of the NSA’s oversight and operation of the program.
On October 2, 2013, I chaired a second full Judiciary Committee hearing on government surveillance authorities. NSA Director Alexander revealed for the first time that the NSA had previously conducted a pilot program to test the handling of metadata data as part of the section 215 phone records program, although he emphasized that it was only a test. The second panel of witnesses at the hearing testified about the government’s legal justifications for the collection of telephone records under section 215. A technologist and computer scientist provided testimony to illustrate the power of metadata and the blurring distinction between content and metadata in the digital age.

Shortly after that hearing, on October 29, 2013, I joined with Senator Lee, Congressman Sensenbrenner, and Congresswoman Conyers to introduce the bipartisan, bicameral USA FREEDOM Act of 2013 to comprehensively reform a range of surveillance authorities.

On December 11, 2013, the Judiciary Committee held its fourth hearing on these issues. At the hearing, government witnesses discussed the possibility of placing a privacy advocate at the FISA Court, the recently declassified documents about the bulk collection of Internet metadata, and the scope of collection that is permitted under traditional section 215 orders. We learned that the problems with the Internet metadata program were so severe that the FISA Court suspended the program entirely for a period of time before approving its renewal. But then, in 2011, the government ended this Internet metadata program because, as Director Clapper explained, it was no longer meeting “operational expectations.” Government lawyers testified that under the statute, there was no legal impediment to restarting this bulk Internet data collection program. If the executive branch—or a future administration—wanted to do so, it could simply apply for an order from the FISA Court.

On December 18, 2013, the President’s Review Group on Intelligence and Communications Technology publicly released its final report, which included 46 recommendations and findings to reform government surveillance activities. The review group members included Richard Clarke, former counterterrorism adviser to Presidents George H.W. Bush, Bill Clinton, and George W. Bush; Michael Morell, former Acting Director of the CIA; Geoffrey Stone, professor at the University of Chicago Law School; Cass Sunstein, Harvard Law School professor and former senior OMB official in the Obama administration; and Peter Swire, a professor at Georgia Tech and former senior advisor to Presidents Obama and Clinton. They concluded that the section 215 phone records program had not been essential to national security, saying: “The information contributed to terrorist investigations by the use of section 215 telephony meta-data was not essential to preventing attacks and could readily have been obtained in a timely manner using conventional section 215 orders.”

The review group also addressed the collection of communications metadata and content. This sort of massive surveillance presents significant privacy implications in the digital age, and the review group’s report provided valuable insights. The report explained that keeping the possibility of placing an individual made over the course of several years “can reveal an enormous amount about that individual’s private life.” The report further explained that in the 21st century, revealing private information to third party services “does not reflect a lack of concern for the privacy of the information, but a necessary accommodation to the realities of modern technology.” The report questioned whether we can continue to draw a rational line between communications metadata and content. This is a critically important question given that many of our surveillance laws depend upon the distinction between the two.

The review group also addressed the national security letter, NSL, statutes. Using NSLs, the FBI can obtain detailed information about individuals’ communications records, financial transactions, and credit reports without judicial approval. Recipients of NSLs are subject to permanent gag orders. The review group report made a series of important recommendations to change the way national security letters operate. I have been fighting to impose additional safeguards on this controversial authority for years—to limit their use, to ensure that NSL gag orders comply with the First Amendment, and to provide recipients of NSLs with a meaningful opportunity for judicial review.

Following release of the review group’s report, the Judiciary Committee then held its fifth hearing on December 17, 2013, to hear from members of the review group to testify. On January 14, 2014, the members of the review group testified before the Senate Judiciary Committee and explained that in light of changing technology and the creation of more and more data, it recommended transitioning to a system where the government does not hold massive databases of Americans’ metadata. Rather, metadata could be held by providers or a third party, and could be searched by the government only with advance judicial approval. The five members of the panel made clear that while we must always consider ongoing threats to national security, policymakers should consider all of the risks associated with intelligence activities: the risk to individual privacy, to free expression and freedom of association, to an open and decentralized Internet, to America’s relationships with other nations, to trade and commerce, and to maintaining the public trust.

Following the review group’s report, in January 2014, President Obama took an important step to restore American’s privacy and civil liberties by embracing the growing consensus that the section 215 programs and other programs should not continue in its current form. During a speech at the Department of Justice, the President announced that he had directed the intelligence community to develop alternatives to the program and asked the NSL program to seek permanent judicial approval from the FISA Court to query the section 215 phone call database. Additionally, he ordered the
government to limit searches of the section 215 database to two "hops," instead of three. He also recommended reforms to the secrecy surrounding national security letters.

A January 23, 2014, report by the Privacy and Civil Liberties Oversight Board, PCLR, added to the growing chorus calling for an end to the government's dragnet collection of Americans' phone records. On February 12, 2014, the Judiciary Committee held its sixth public hearing. This time, the majority of the PCLR explained the conclusions in their report. As with the President's review group, the PCLR report likewise determined that the section 215 program has not been effective, saying: "We have not identified a single instance involving a threat to the United States in which the program made a concrete difference in the outcome of a counterterrorism investigation. Moreover, we are aware of no instance in which the program directly contributed to the discovery of a previously unknown terrorist plot or the disruption of a terrorist attack."

The FLS report also provided the public with a detailed constitutional and statutory analysis of this program and concluded the program's "has a viable legal foundation under Section 215" and "implicates constitutional concerns under the First and Fourth Amendments." The PCLR report further revealed that although the FISA Court first authorized this program in 2006, it did not issue an opinion setting forth a full legal and constitutional analysis of the program until 2013.

In March 2014, after consulting with the intelligence community, President Obama announced that his administration would work with Congress to pass legislation to end bulk collection, while also enhancing privacy and civil liberties. The administration Policy on May 12, 2015, in strong support of the USA FREEDOM Act of 2015. The letter notes that the legislation "is a reasonable compromise that preserves vital national security authorities, enhances privacy and civil liberties and codifies "reasonable" national security programs for increased transparency." The Obama administration also issued a Statement of Administration Policy on May 15, 2015, in strong support of the USA FREEDOM Act of 2015.

In early May, as the House and Senate were preparing to consider the USA FREEDOM Act of 2015, the Second Circuit issued a decision confirming what we knew all along.

Mr. LEE. Mr. LEAHY. Immediately following passage of the House version in May 2014, Senator LEE and I began working to address concerns that the text of the USA FREEDOM Act of 2014, S. 2685, is unprecedented and "is a reasonable compromise that preserves vital national security authorities, enhances privacy and civil liberties and codifies "reasonable" national security programs for increased transparency." The Obama administration also issued a Statement of Administration Policy on May 12, 2015, in strong support of the USA FREEDOM Act of 2015.

Mr. LEE. It did. On May 7, 2015, a three-judge panel from the U.S. Court of Appeals for the Second Circuit unanimously concluded that the NSA's bulk collection program is illegal. The court held that section 215 of the USA PATRIOT Act does not authorize bulk collection of Americans' private records and roundly rejected the argument that all of our phone records can be "relevant" to any particular authorized investigation.

In ACLU v. Clapper, the Second Circuit provided a detailed statutory and legal analysis of section 215 and the bulk collection program. It stated that the government's "expansive" interpretation of "relevant" in the context of Section 215 "is unprecedented and unwarranted." The court further stated:

The interpretation of the government asks us to adopt defies any limiting principle. The same rationale for the "relevance" of telephone metadata cannot be cabined to such data, and applies

version of the USA FREEDOM Act. We knew that the June 1, 2015, sunset of several surveillance authorities, including section 215 of the USA PATRIOT Act, would come up fast. For several months, we engaged in conversations with the House Judiciary Committee Chairman GOODELLE, Representative SENENBRENNER, and House Judiciary Committee Ranking Member CONEY, as well as officials from the administration, intelligence community, privacy and civil liberties groups, technology industry, and other stakeholders on a path forward. Those extensive deliberations produced another set of bipartisan, bicameral surveillance reforms to end the bulk collection of Americans' phone records and amend other surveillance laws.

On April 28, 2015, Senator LEE and I introduced the USA FREEDOM Act of 2015, S. 1123, and Representatives SENENBRENNER, GOODLATTE, GOODELLE, KOWSKI, B LUMENTHAL, D AINES, SCHUMER. It has also received the support of the administration, privacy groups, and the technology industry.

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Senator LEE:

Mr. LEE. Mr. LEAHY. Immediately following passage of the House version in May 2014, Senator LEE and I began working to address concerns that the text of the USA FREEDOM Act of 2014, S. 2685, on July 29, 2014. More than 50 organizations, interest groups, trade associations, and technology companies from across the political spectrum publicly endorsed the bill. On September 2, 2014, the Attorney General and DNI wrote a letter in support of the USA FREEDOM Act of 2014. The letter noted that the bill preserved the intelligence community's capabilities while also enhancing privacy and civil liberties and increasing transparency. Like members of the President's review group wrote a letter to myself and Senator GRASSLEY, explaining that the USA FREEDOM Act of 2014 was consistent with the recommendations contained in their December 2013 report.

On November 12, 2014, Senator REID filed cloture on the motion to proceed to the USA FREEDOM Act of 2014. A few days later, on November 17, 2014, the Obama administration released a statement supporting the USA FREEDOM Act of 2014 strongly supporting passage.

Despite the wide-ranging support for these commonsense reforms, on November 18, 2014, the full Senate failed to invoke cloture on the motion to proceed to the USA FREEDOM Act of 2014, by a vote of 58 to 42. I was extremely disappointed that the Republican leadership in the Senate decided to use a procedural vote to block debate and amendments on such an important piece of legislation.

With the start of the 114th Congress, Senator LEE and I began discussions with the House to develop a new legislative approach to end bulk collection of Americans' phone records.
equally well to other sets of records. If the government is correct, it could use §215 to collect and store in bulk any other existing metadata available anywhere in the private sector, should it be associated with financial records, medical records, and electronic communications (including e-mail and social media information) relating to all Americans.

Such expansive development of government repositories of formerly private records would be an unprecedented contraction of the privacy expectations of all Americans.

The court also rejected the government’s attempt to compare the NSA’s section 215 orders for bulk collection of telephony metadata to grand jury subpoenas, citing the expansive scope and breadth of the information requested.

The court correctly noted:

The sheer volume of information sought is staggering; while search warrants and subpoenas for business records may encompass large volumes of paper documents or electronic data, the most expansive of such evidentiary demands are dwarfed by the volume of records obtained pursuant to the orders in question.

The government can point to no grand jury subpoena that is remotely comparable to the real-time data collection undertaken under this program.

While the Second Circuit held that the bulk collection program as a whole is illegal, it did not issue a preliminary injunction to enjoin the program. The Second Circuit remanded the case with instructions for the district court to consider whether an injunction was appropriate in light of the upcoming June expiration of section 215 and on

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on H.R. 2048, an act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.


The PRESIDING OFFICER. Pursuant to rule XXII, the Chair now directs the clerk to call the roll to ascertain the presence of a quorum.

Mr. LEAHY. Mr. President, I ask unanimous consent that we waive the mandatory quorum.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Is it the sense of the Senate that debate on H.R. 2048, an act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes, shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT) and the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

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

The yeses and nays resulted—yeas 83, nays 14, as follows:

[Rollcall Vote No. 197 Leg.]

YEAS—83

Alexander
Ayotte
Balanced
Baucus
Bennet
Cassidy
Carper
Casey
Collins
Coons
Corker
Corzine
Cowan
Cromartie
Capito

Donnelly
Durbin
Feinstein
Fischetti
Flake
Franken
Gardner
Gilibrand
Grassley
Heinrich
Heitkamp
As I mentioned before, in Garland, TX, just a few weeks ago, two men traveled from Phoenix, AZ, and obtained full-body armor and automatic weapons and were prepared to wreak havoc and murder innocent people in Garland, TX, because they were exercising their First Amendment rights and were displaying cartoons that these two jihadists felt insulted the Prophet Muhammad.

Thanks to the good police work of a Garland police officer, both of those people were taken out of action before they could kill anybody there at that site. But why in the world would we want to take away from our intelligence authorities the ability to detect whether individuals, such as these two jihadists from Phoenix who traveled to Garland, had been communicating with known terrorist telephone numbers in Syria or anywhere else in the world? These are foreign telephone numbers that are matched up and provide an essential link and, really, a tripwire for the intelligence community.

What the amendments that we will vote on this afternoon would do is to slow the transition from NSA storage to the telephone company stewardship from the 6 months prescribed in the underlying bill. For those who believe that the underlying bill is the correct policy, I do not know why they would object to a little bit of extra time so we can make sure that this is going to work as intended.

Indeed, the second amendment does relate specifically to that. It would require a certification by the Director of National Intelligence that the software that we actually implement for the National Security Agency to query the phone records in the possession of the telephone companies.

Another amendment would provide that the Foreign Intelligence Surveillance Court, which is a group of experienced Federal judges who review the requests from the FBI and other law enforcement authorities, would be able to query these telephone records. It would establish a panel of experts, so to speak, to argue against the government’s case in front of the Foreign Intelligence Surveillance Court. As somebody who used to be a judge for some time, this is a rather strange provision because what it does, essentially, is to put a defense attorney in the grand jury room and create an adversarial process at the early stages of an investigation, which may or may not lead up to an indictment in that case.

The final amendment would require the government to show progress if they are going to change their policy for retaining customer records. This is a serious concern because it could well be that some telephone companies will start marketing to potential customers that they will not retain any records. That eliminating an important tool which helps keep Americans safe and has absolutely zero threat to civil liberties.

There has been so much misrepresentation, and you will see the so-called metadata program has done. I think that is one of the reasons we find ourselves here today. Many who believe the program is useful are reluctant to even talk about it in public because, as we know, so much of what is done to protect our country is classified. So rather than have a public debate and actually correct the misstatements of fact and the demagoguery that unfortunately attends this subject, many people are silent, and what many people say is that exactly is going on and why Congress is doing it. But I would just point out that oversight of these programs is absolutely rigorous. It is executive, judicial, and legislative oversight. It is not a matter of trust as whether these programs work the way they are supposed to; it is actually verified on a regular basis, universally verified.

Also, we have to go before these Federal judges known as a FISA Court—a Foreign Intelligence Surveillance Court—in order to make our case. Unless we can make our case to these judges that there is reason to continue the investigation, they will shut it down.

One of the things I think we have forgotten is that we want to treat intelligence gathering and prevention as we do ordinary law enforcement. What I mean by that is that ordinarily, in the criminal law context, government does not get involved in a case unless something bad has already happened. If there has been an explosion or a murder or a bank robbery or something like that, it is after the fact that we try to figure out what happened and then we try to go after the perpetrator and bring them to justice. That satisfies an important need in our society to enforce our criminal law, but that is far different from what our intelligence community is supposed to be doing because they are supposed to be detecting threats and intervening in those ongoing schemes and stopping them before they ultimately occur.

That is the important lesson we learned on 9/11. Unfortunately, it has subsequently now that many people have simply forgotten or they don’t feel as though this is an imminent threat. But when Director Comey says they have open inquiries in all 56 FBI field offices about the potential threat of homegrown terrorists, I take that very seriously. I believe it is absolutely reckless for us to take any unnecessary chances.

There are some who say this underlying bill is important because instead of the National Security Agency collecting these telephone numbers, we are going to leave the data with the telephone companies. But none of the people who are going to be querying these records at the phone companies have security clearances. One can just imagine the potential for abuse at the phone companies of these phone records once they receive some sort of request from the government.

We know the current system as run at the National Security Agency is subject to rigorous and serious oversight as I mentioned. In addition to the executive, judicial, and legislative oversight, we actually have a private and civil liberties...
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S3429

Mr. LEAHY. Madam President, no-
body disputes that we all want to keep
America safe. We all agree on that. We
also want to make sure that we keep
Americans free and that their constitu-
tional freedoms are protected. None of
us would think that we were making a
wrong decision if we tried to pass a law
that said law enforcement or anybody else
can walk into our homes at any time
they want and go through any files we have,
follow us anywhere they wanted just on a
whim. We would be totally opposed to
some of the provisions that the House
would say that in the aftermath of 9/11,
in some of the aspects of the PATRIOT
Act, we did just that.

Congressman Army, who was the
Republican leader, the majority leader
of the House at the time—a very con-
servative Republican—he and I joined
together after consultation to put into
the PATRIOT Act sunset provisions
which would require us to have the de-
bate we are having right now.

Unfortunately, we have a traitor
such as Edward Snowden who selec-
tively leaked certain portions of this
program, and it has created an uproar.

I oppose the amendment to extend
the transition period. And the Director of
National Intelligence is so important. It makes
sense to provide a little bit more
time—from 6 months to a year—in
order to make sure this transition goes
smoothly.

I know no Member of the Senate and
no Member of the House and no Amer-
ican wants to look back on our hasty
handling of this underlying legisla-
tion and say: If we were just a little
more careful, if we had just taken a lit-
tle bit more time, if we had just been a
little more thoughtful, a little more
deliberate, and talked about the facts
as they are and not some misrepresen-
tation of the facts, we could have actu-
ally prevented a terrorist attack on
our home soil.

Unfortunately, by increasing the risk
to the American people, as I believe
this underlying bill will do, we may
not find out about that until it is
too late. I hope and pray that is not the
case, but why should we take the risk
to the homeland? Why should we risk
anyone being injured or potentially
carried as a result of a homegrown ter-
rorist attack on our own soil because
we have simply blinded ourselves in
a significant way to the risks? Not that
this is a panacea, not that this is some
litmus test, but it is one essential piece
of information that will help law en-
forcement make the case to not just
prosecute crimes after they occur but
to prevent them from occurring in the
first place through the good and sound
use of constitutional intelligence gath-
ering in a way that respects the pri-
vacy of all Americans but lives up to
our first and foremost responsibility,
and that is to keep the American peo-
ples safe.

Madam President, I yield to the dis-
tinguished ranking member.

The PRESIDING OFFICER. The Sen-
ator from Vermont.

I have heard some of our colleagues
say that if the Senate were to change a
period or a comma or a dash in the un-
derlying legislation, it would be a poi-
son pill, that the House would reject it
and we would have nothing to show for
our efforts. But I have great faith that
if the Senate will do its job and vote to
pass these underlying amendments and
strengthen this underlying bill, the
House will take up the bill and vote on
it and it will pass. So if my colleagues
feel as though these amendments
would weaken or dilute the under-
lying House bill and represent good
policy, why in the world would they
vote against these amendments be-
cause of some fantasy that the House
will simply reject any changes at all?
Would they capitulate to any of their prerogatives as U.S. Sen-
ators to represent their constituents in
this body? We all know we make better
decisions in consultation with other
people.

Certainly I think it is true that the
House’s bill is not holy writ. It is not
something we have to accept in its en-
tirety without any changes. I think
where the policy debate should go
was not stated in these amendments
and to say that we understand the
House wants to change the current cus-
tody policy of these phone records and
leave them with the phone company,
but we sure need to know the new sys-
tem will actually work. Doesn’t that
make sense? That is why the certifi-
cation from the Director of National
Intelligence is so important. It makes
sense to provide a little bit more
time—from 6 months to a year—in
order to make sure this transition goes
smoothly.

It is simply a fact that the Fourth
Amendment of the U.S. Constitution
involving searches and seizures doesn’t
apply to foreign terrorists; it applies to
Americans. Under the procedures used
under current law, all requests for ad-
titional information are subject to
Federal court supervision and permis-
sion.

So we will vote on a number of
amendments this afternoon, I can tell
my colleagues after talking to a num-
ber of our colleagues, many of them
have said they don’t really have any
disagreement over the content or the policy
of these amendments. Actually,
these amendments are designed to try
to strengthen the underlying House.

We all understand that the House is
going to prevail in the basic structure
of the underlying piece of legislation, but
since when did the U.S. Senate
speak-making the decisions of the
other body across the Capitol? We have
a bicameral legislature—a Senate and
a House—for a reason. We know we
must make better decisions when we have
consultation between the two branches
of the legislature—not capitulation but
consultation. The Senate should not be
a rubberstamp for the House or vice
versa.

I have heard some of our colleagues
say that if the Senate were to change a
period or a comma or a dash in the un-
derlying legislation, it would be a poi-
son pill, that the House would reject it
and we would have nothing to show for
our efforts. But I have great faith that

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consulted. The Senate should not be
consulted. The Senate should not be
consulted. The Senate should not be
consulted.
the NSA said: “We are aware of no technical or security reason why this cannot be tested and brought online within the 180-day period.” I think the NSA Director is as knowledgeable about this subject as anybody in this Chamber, and he says we can go forward with the ranking minority member.

I think all of these amendments that are talked about would simply delay passing an excellent piece of legislation, one that has been worked on by Republicans and Democrats for months and ever so pass it today.

We hear about stopping terrorism attacks. We all want to do that. But I remember some of the statements made by a former NSA Director that this had stopped 54 terrorist attacks. When he was pressed on that claim, it came out that the bulk collection program was only important after the fact in one case—and that was not a terrorist attack.

We also know that 9/11 could have been avoided. The evidence was there. The information was there. But the dots had not been connected. Everybody was frantically taking information they already had—recordings they already had after 9/11—and saying: We ought to get around to translating what is in these things. We know that in Minnesota, the FBI warned that people were taking flight lessons and there was no good reason. That warning was ignored. They basically were told: We know better.

I remember the day or so after the attack, at FBI Headquarters, people were calling in with information from different field offices. Somebody would write it down and would hand it to somebody else who would rewrite it and hand it to somebody else who would put it in a file. They would charter planes to bring photographs around to different places so our offices could see them. And I said: Well, why don’t we just get around to translating what is in these things. We know that in Minnesota, the FBI warned that people were taking flight lessons and there was no good reason. That warning was ignored. They basically were told: We know better.

So I would be happy to yield to the Senator from Vermont, who has worked so hard on this and is a former attorney general of his own State.

My own experience in getting search warrants for phone records or anything else as a prosecutor—and I realize it is not of the complexity of what we have today, but I realize we had to follow the law—is that, ultimately, that protects us more than anything else. I do not want this administration or any future administration to have the ability just to go anywhere they want. I am not encouraged by those who say this is so carefully maintained. We were given information earlier that just a small number of people can have access to those records. I guess it is one less since Edward Snowden walked out the door with all of it.

I will yield to the Senator from Connecticut if he would like to speak on this subject. Mr. BLUMENTHAL, have done very good reform work with respect to the FISA Court. In particular, what the distinguished Senator from Vermont has done, with the help of the Senator from Connecticut, I would say, is that there is a difference between secret operations and secret law.

I would be happy to yield to the Senator from Connecticut, who has worked so hard on this and is a former attorney general of his own State.

Mr.LEAHY. I thank the Chair.

Mr. President, I am very grateful for the opportunity to follow my distinguished colleague from Vermont and to emphasize some of the points that he has just made. But first let me thank Senator WYDEN for his leadership and his courage on this issue of foreign intelligence surveillance reform. He has led to lead this effort. I am not aware that I was in the Senate, in favor of more transparency and accountability. Those are among the overarching objectives here.

Mr. President, I am very grateful for the opportunity to follow my distinguished colleague from Vermont and to emphasize some of the points that he has just made. But first let me thank Senator WYDEN for his leadership and his courage on this issue of foreign intelligence surveillance reform. He has led to lead this effort. I am not aware that I was in the Senate, in favor of more transparency and accountability. Those are among the overarching objectives here.

My colleague from Vermont, who shares with me a background as a prosecutor, rightly makes a point that warrants and other means of surveillance when prosecutors seek them are sought
ultimately from judges. I want to speak to some of the myths and misconceptions here that endanger this key reform.

Our colleague from Texas, whom I greatly respect, has argued that the FISA Court is a grand jury or a grand juror. In fact, he has said that an amicus should not be appointed, in effect, to intervene with a body that is like a grand jury. Well, the Foreign Intelligence Surveillance Court is not a grand jury, as my colleague from Oregon has said very well. The FISA Court makes law. It interprets the law in ways that are binding as legal precedents. Far from being like a grand jury, as a truly investigative tool of the court, the Foreign Intelligence Surveillance Court is a court. In fact, it is composed of article III judges who do as they do on their own district courts or appellate courts; that is, they interpret law and thereby, in effect, make law.

To keep that law secret is a disservice to the American people and to our legal system. To have only one side represented skews and, in effect, impedes the operations of that court because we know that judges make better decisions when they hear both sides and not just one protected. Even so, the FISA Court needs to hear from that amicus panel only when it chooses to do so, ultimately.

It has the discretion under the statute, as it exists now, to decide to appoint an amicus in novel or significant cases unless—and the word “unless” is in the statute—it issues a finding that the appointment is not appropriate. It can make that finding whenever it wishes to do so. So the discretion is for the FISA Court in whether to hear from an amicus, even under the bill that the USA FREEDOM Act is now. It can permit the amicus to address privacy, technology, or any other area relevant to the matter before the court—not just constitutional rights. And that leads to the second misinterpretation, if I may say so, in the remarks made by my colleague from Texas.

The bill does not direct an amicus to oppose intelligence activity or to oppose the government’s view or position. In fact, it is to enlighten the court. In some instances it may oppose the government, but it is as part of that process of developing any other area relevant to the matter before the court—not just constitutional rights. And that leads to the second misinterpretation, if I may say so, in the remarks made by my colleague from Texas.

Again, I stress, a novel or significant issue in the discretion of the court may be addressed by the amicus. What the amendment does is to deprive the amicus or expert panel of the access it needs to facts and law to be the best that it can be in interpreting, arguing, and protecting rights. It, in effect, bars access to past precedents of the court, to briefs or intelligence memos to facts that may be known to the Department of Justice or intelligence agencies. That hampering and hobbling of the amicus in no way serves the cause of justice. It in no way serves the cause of intelligence activities—in fact, it undermines that activity.

It undermines trust and confidence in the court. The court has operated in secret. It has heard arguments in secret. It has issued opinions in secret. It is the kind of court our Founders would have found an anathema to their vision of democracy and freedom. We may need such a court now to authorize the surveillance that must be kept secret, but we need to strike a balance that protects very precious constitutional rights and liberties.

After all, what does our surveillance and intelligence system protect if not these fundamental values and rights of privacy and liberties that have lasted and served us well because we respect them?

More than a physical structure that we seek to protect through this system is the right that are fundamentally paramount and important. So this FISA Court reform goes to the core of the changes—constructive changes that we seek to make. I hope my colleagues will defeat the overwhelming majority of the other amendments, because the practical effect of adopting amendments is it further delays implementation of the USA FREEDOM Act at a time when our country may be at risk from the expiration of the PATRIOT Act. We cannot afford for this country.

Mr. WYDEN. Will my colleague yield for a question on that point?

Mr. BLUMENTHAL. I will be happy to yield.

Mr. WYDEN. Because I think, again, my colleague from Connecticut has spoken to what the stakes are here. For the last decade, intelligence officials have been relying on secret interpretations of their authorities that have been very different from the plain reading of public law. The public has seen the consequences of that, and they are angry because the American people know we can have policies that promote both security and liberty. I would just like to ask a question of my colleague with the respect to what the implications would be of hollowing out the good work you and Senator LEAHY have done with respect to having more transparency and both sides participating in process with respect to the FISA Court. I would like to note that the majority leader’s second amendment delays implementation of other important reforms that you all have dealt with.

For example, one question I was asked about at a townhall meeting just this past weekend in Tillamook, OR, where I was, is people were concerned about what we would do to protect our Nation when there was an emergency. You all, in your good work, have, in effect, strengthened the language to make sure that when there was an emergency—government officials already can issue an emergency authorization to get the business records and you would then seek court approval, and you all strengthen that.

All of you on the Judiciary Committee said: We are going to provide another measure of security for the American people; we are going to protect their liberty and we are going to strengthen their security. It looks to me like the combination of the majority leader’s two amendments scaling back the reforms, the transparency reforms in the FISA Court, and delays in the setting of emergency authorities that can protect the American people without jeopardizing their liberty would really roll back the kind of reforms the American people want.

I would be interested in my colleague’s reaction to that.

Mr. BLUMENTHAL. I am happy for that very pertinent and important question from my colleague from Oregon. In fact, the majority leader’s amendments would not only scale back and roll back the protections for the American people in the event of exigent or urgent situations, they would also undermine the confidence and trust of the American people in this system to protect the homeland.

Delaying these kinds of reforms undermines the goal of protecting our national security as well as preserving our fundamental constitutional rights. Delay is an enemy here. Uncertainty is an adversary. We owe it to the American people not only to restore their trust and confidence and sustain the faith of the American people in the intelligence agencies but also to make it more transparent, where it can be made so without compromising security and increasing accountability.

That is what the FISA Court reforms do. That is why the Director of National Intelligence as well as the Attorney General, the Privacy and Civil Liberties Oversight Board, the President’s Review Group, at least two former FISA Court judges, civil rights advocates, and representatives of many of the most informed and able in our intelligence community all support these reforms.

The Director of National Intelligence and the Attorney General said in 2014, “The appointment of an amicus in selected cases as appropriate need not interfere with the important aspects of adversarial process. As we move forward in the process of ex parte consultation between the court and the government.”

Ex parte communication, in effect, secret conversation or consultation, can continue to go forward under this bill. The amendment would not alter that fact. The amendment simply makes the amicus less effective by depriving that amicus of access to facts and law that are necessary to do its job. So, in my view, these amendments fundamentally undermine the purpose of intelligence reform. I ask that the majority of this body has already approved today. It is an increasingly large margin that has voted for these
reforms, recognizing what I hear from Connecticut, what my colleagues hear in their States; that people want to believe the Foreign Intelligence Surveillance Court is, in fact, operating as a court, hearing both sides, keeping secrets but at the same time increasing public access to facts and law and then important to them without compromising our national security.

I hope my colleagues will vote to reject these amendments. As the Senator from North Carolina has said, adopting them will simply serve to delay reforms that are necessary. I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, there are always two sides of every picture, two sides of every story. I have tremendous affection for Ranking Member LEAHY. We are friends. We look at this issue differently. I have deep respect for Senator BLUMENTHAL, Senator WYDEN.

The fact is I look at history a little bit differently and I look at the future a little bit differently because I think what American people want to believe is that America is doing everything possible to keep them safe. I think, at the end of the day, that is the single most important issue: Are we doing everything we can to keep America safe?

Now, Senator WYDEN opposes section 215. He talked about changes. He is opposed to section 215. He is a member of the committee, I know exactly where he stands, and I respect it. The fact is that there is a very effective program. My colleagues are right. It was not a public program until Eric Snowden, a traitor to the United States, published a lot of information about what the intelligence community does. This was one small piece. That is the reason why we are relying on hundreds of companies to search their database in a timely fashion and get back to us because we are trying to be in front of a threat versus behind a threat. In front of a threat is totally different than behind a threat. It is called an investigation.

When we thwarted the New York City subway bombing, we were in front of the threat. That was intelligence. When we reacted to the Boston Marathon, that was an investigation led by the FBI, not the NSA.

So when you inject this new requirement for a friend of the court—and I would disagree with my colleagues. This is not a voluntary thing for the FISA Court. It is something that is available to the FISA Court today if they choose to have somebody come in to counsel them on something. This is mandatory. In the legislation, it says "shall." The court shall set up a panel. The court shall choose a friend of the court. A friend of the court is not there to facilitate a timely processing of information.

Let me remind everybody that we are dealing with the safety of the American people. They always stress this at the end of the conversation: We want the confidence and trust to be rebuilt that we are protecting our homeland. If you are moving a database, you are making it slower. Now you are setting up a mechanism inside to slow it down even more.

What we are doing is sanitizing from intelligence gathering to investigations. Nobody knows how long it is going to take from the time we present the FISA Court with a foreign terrorist's telephone number before we actually complete a search process within this new database. I happen to be the one behind a 12-month transition versus a 6-month transition, and it was all stimulated off of exactly the same person whom Senator BLUMENTHAL or Senator WYDEN quoted. They said the Director of the NSA said: We think we can do this in 6 months.

Well, I am telling you, if I am the general public in America and I am concerned about my safety and the people who are supposed to be protecting me say "I think I can do this in 6 months"—I would like somebody to say "I am absolutely 100 percent sure I can do it in 6 months." But they think they can do it in 6 months. There is the reason for a year. There is the reason for a longer transition period.

If privacy were really the concern—anybody has asked me down and said: I want to protect the privacy of the American people. Let me point out a couple of things.
No. 1, we didn’t collect anybody’s name in this program. It is hard to intrude on somebody’s privacy when you didn’t collect their name. We collected the number, the date of the call, and the duration of the call. That is it. Anybody turns into an investigation is the Federal Bureau of Investigation going to a court and saying: We have to have more information because we know the President of the Senate is a potential threat to us. And then the investigation can never get out, such as his identity and anything else that might be part of the investigation. But from the standpoint of the NSA, those are the only things we have—a telephone number, a date, and the duration of the call.

If privacy is the concern, I don’t think we have breached it. As a matter of fact, since this program has been in existence, there has not been one case of a breach of anybody’s privacy—not one.

If they were truly concerned about privacy, they would be on the floor today with a bill abolishing the CSPFP, which is a government agency, a government that collects everything financial transaction of the American people by name, by date, by amount, by transaction. But they are not down here doing that. Why? Because they don’t like the fact that the FISA Court operates in secret. They don’t think there should be classified or top-secret documents. They believe everything should be transparent.

Well, let me say to my colleagues, my friends, and the American people that we have done more over the last month to destroy the capacity of this program because of the debate we have had. There is not a terrorist in the world now who doesn’t understand that using a cell phone or a land line is probably a pretty bad thing. It probably puts a target on their backs. We have done a great job of chasing people to alternative methods of communication, and I would suggest to you that is not just a matter of any safety thing, maybe we should have had this debate in secret simply so we wouldn’t give them a roadmap as to what we do.

Therein lies the reason that there are some things on which I think there is a determination made by the executive branch and by the legislative branch and I think in many cases at the dining room tables around America where Americans say: You know, you don’t need to share everything with me. I am tired of hearing things on the nightly news that I think shouldn’t be discussed.

This probably happens to be one of them because it doesn’t make us more safe, it makes us safe.

I will end the same way Senator Blumenthal did. People want to believe—question mark. I think people want to believe we are doing everything we possibly can to strengthen our national security. To eliminate the threat of terrorism here and abroad. My fear, quite frankly, is that this bill doesn’t accomplish that.

Again, I have deep affection for those whose names are on the bill and for what they believe is the intent. But I think that at the end of the day the only responsible thing to do right now is to accept three amendments—one, a second-degree and a second-degree amendment. Let me say briefly that the substitute incorporates two changes. One change is that the telephone companies would be required to notify 6 months in advance of any private data the NSA could be retaining. In other words, how long they hold the data. I have received calls from both big telecom companies today, and they have both said: We have no problem with that.

The second one would have the Director of National Intelligence certify at the end of the transition period that technologically we can make the transition. I don’t find anybody who has really—Clearly, that is the biggest thing.

Then there is an amendment that extends the transition period from 6 months to 12 months. There have been people who object to that. I would only tell you we have a difference of opinion. That is what the NSA is on their ability to make the transition in 6 months. I think that is ironic because the reason we are here having this debate is because they have made us believe we can’t trust NSA. Yet, the Senate is willing to trust the NSA relative to a transition time that is sufficient to accomplish the transition.

Let’s err on the side of caution. Let’s do it at 12 months. If they can do it sooner, then let them petition us. Congress can pass it, and we will turn to it sooner. But let’s not get to 6 months and be challenged with not being ready to make that transition.

The last one is a change to amicus language. There is no one who has told me that is the biggest difference we have. I would say to my colleagues that you either vote for the amendment or you vote against it. If you vote for it, you will delay the time it will take for us to connect the dots between a telephone number and a domestic telephone number they might have talked to. If that doesn’t bother Members and it doesn’t bother the public, I am all for giving the American people what they want. But I think most American citizens sit at home and say: You know, the faster you do this, the safer I am. I have a responsibility first and foremost to the protection of the American people. It is in our oath.

I also share something with the President of the Senate and my colleagues who are here—to protect the rights and liberties of the American people. And as the chairman of the Intelligence Committee, I would hope we have in any way infringed on that.

I am now in year 21. I have come a lot closer to the line than I ever dreamed when I came to Congress in 1995. But I also never envisioned an event as horrific as 9/11. I never envisioned an enemy as brutal as Al Qaeda or AQ in the South. I could go on and on.

What has changed since 9/11? On 9/11, we had one terrorist organization that had America in its crosshairs. Today, we have tens to twenties of organizations that are offshoots of terrorist organizations that would like to commit something right here in the United States. The threat has become more; it has become more. We are on the floor today talking about taking away some of the tools that have been effective in helping us thwart attacks. It is the wrong debate to have, but we are having it.

I would only ask my colleagues to show some reason. Extend by 6 months the transition period. Make sure it doesn’t take longer to search these databases. Make sure we are ready for the telephone companies to carry out the searches because there is one certainty on which I think I would find agreement from all of my colleagues here: The terrorists aren’t going away. America is still their target. No matter what we say on this floor, they are still in the crosshairs of their terrorist acts.

Only by providing the intelligence community and the law enforcement community the tools to carry out their job can they actually fulfill their obligation of making sure America is safe well into the future.

I yield the floor.

The PRESIDING OFFICER (Mr. Cruz). The Senator from South Dakota.

Mr. THUNE. Mr. President, I hope our colleagues in the Senate and the American people are listening to this discussion because there isn’t anything that is more important than defending our country. The debate we are having in the Senate today is really about the tools our intelligence community uses to prevent terrorist attacks.

As we look at and discuss the legislation in front of us, I think it is very important that we not forget we are living in a dangerous time. It is the most dangerous time, literally, since 9/11 in terms of the terrorist activity that is out there. As the Senator from North Carolina pointed out, we have a big bull’s-eye. The United States and people in this country, the things we believe in—the terrorists would love nothing more than to be able to take out and destroy, through some terrorist act, Americans and American interests. So I think it is very critical.

Senator from Indiana did a great job. I know the Senator from Indiana is going to speak here on the subject in a few minutes. But I hope everyone listens carefully because we are on the cusp of doing something that does weaken the very tools that have been used, the very capabilities that have been used to prevent those terrorist attacks.

The ironic thing about it, as you frame this up, you look at the threats that are out there, the dangerous times in which we live, and the success of these programs and how effective they have been in the past at preventing a terrorist attack, and what is being
talked about are potential abuses, hypothetical examples of how these programs could be abused, but they haven’t been. The fact is, they haven’t been.

We have a long period of time now in which to examine the effectiveness of these tools relative to the arguments that are being made about their abuse. They just don’t exist. There isn’t a documented case, in the time these tools have been in existence, of anybody’s privacy being breached.

So it is very important that we look at these issues in light of what we are up against and what our No. 1 responsibility is; that is, defending Americans and Americans’ interests. And this discussion is critical to that.

THE ECONOMY

Mr. President, I wish to speak on another subject this morning, and that has to do with the headline of the New York Times from Friday morning of last week, which I thought was pretty grim:

The title is, “E.S. Economy Eroded 0.7% in First Quarter.” Let me repeat that. Not only did our economy fall to grow in the first quarter of 2015, it actually shrunk.

That is pretty discouraging news for millions of Americans still struggling in the Obama economy, and the Obama administration didn’t offer them any consolation. Too often the administration has met stories of economic woe with excuses: uncertainty in the eurozone, not enough foreign demand, the Japanese tsunami, too much snow, too many congressional Republicans, and of course the Obama administration’s favorite excuse, the Bush administration.

This time, among other things, the administration is blaming the measurement mistakes themselves. The administration claims the Bureau of Economic Analysis is not accurately measuring economic growth from quarter to quarter. Now, of course, the Department of Commerce should always be looking for ways to modernize our measurements and adjust for seasonal changes, but no arithmetical sleight of hand can disguise the fact that our underlying economy is so weak that isolated events can shut down economic growth altogether and actually push our economy into the red.

Economic growth has averaged an abysmal 2.2 percent under this administration, one of the weakest recoveries in the past 70 years. If the Obama recovery had met the average economic growth experienced in all post–World War II recoveries, our economy would be $1.9 trillion larger than it is now.

If you look at the President’s record, it is easy to see why our economy is still sputtering along: a failed $1 trillion stimulus, $1.6 trillion in new taxes, the President’s health care law, which raised premiums for families and increased costs for small businesses, 2,222 new regulations costing more than $653 billion in new compliance costs, a Federal debt that has doubled on the President’s watch, a financial reform bill that has overreached and is stifling community banks and lending across the country, and a runaway EPA that wants to increase electricity rates on families who are already struggling with stagnant wages, and now—now—wants to regulate ditches and ponds in farm fields across the country.

All of this has led some economists to wonder if 2 percent growth is the new normal. If it is, it is very bad news for America’s future. We have been in a future that is less prosperous with less economic opportunity and mobility.

During the entire postwar period, from 1947 to 2013, our Nation averaged 3.3 percent growth. At that pace, the standard of living in America almost doubles every 30 years. Incomes rise, financial security increases, and more people are able to afford homes, take vacations, and save for higher education. At the pace of growth we have been on, the other hand, it will take closer to 99 years for the standard of living to double.

Unfortunately, our recent weak economic growth shows every sign of continuing. The Congressional Budget Office projects our economy will grow at an average pace of 2.5 percent through 2018 and just 2.2 percent from 2020 through 2025.

That is not good news for American families. For generations, individuals have clung to the promise America has held out the promise of hope and opportunity. If our economy grows at a rate that is just 1 percentage point faster than what is projected, we will have 2.5 million more jobs and average incomes will be $9,000 higher. Average incomes would be $9,000 higher if we grew just 1 percentage point faster than what is projected. For a lot of Americans, that means the difference between your home and renting one. It is the difference between being able to send your kids to college or forcing them to go deeply into debt to pay for their education. It is the difference between work well into old age.

Additionally, the CBO estimates that for every additional one-tenth percent increase in economic growth, it reduces our deficits by $300 billion over the next 10 years. That means an additional percentage point in economic growth will reduce our deficits by $3 trillion over the next 10 years, and that in turn—reducing deficits—would further enhance economic growth.

Senate Republicans have laid out a number of policies to help grow the economy and open up opportunities for low- and middle-income Americans. We proposed energy policies that will expand domestic energy development and will help drive down energy prices. We are advancing trade policies which will help drive down energy prices. We are advancing trade policies that will help drive down energy prices. We are advancing trade policies that will help drive down energy prices. We are advancing trade policies that will help drive down energy prices. We are advancing trade policies that will help drive down energy prices.

Economists have called for an economy that is more productive. We have laid out a number of tax reform proposals that will simplify our outdated Tax Code and make our businesses more competitive, which will open up new jobs and opportunities for American workers. We have laid out entitlement reforms that will keep promises to our seniors while protecting our economy by reducing our long-term deficits. We are pushing for regulatory reforms that will rein in the out-of-control government bureaucracies that are stifling economic growth.

Years and years of government overspending, burdensome taxation, massive government programs—many of which don’t work—and excessive regulation have taken their toll on our economy, but we can still undo that damage. For generations, America has held out the promise of hope and opportunity, and Republicans are committed to ensuring it does so again. We invite
Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, we are fortunately moving forward on this issue of extreme importance to the security of the American people. These are necessary procedures we should take to do everything we can to ensure our safety, to publicly discuss and debate the issue of terrorist threat and the measures the people's government is taking to defend our country and to defend each individual American from being a victim of terrorism.

As chairman of the Intelligence Committee, just related, the threat to our certain security and to our safety has never been stronger, never been more threatening, with the proliferation of terrorist organizations, the unfortunate proliferation of the inspiration being put forth through social media to any number of American citizens—and those who may not be citizens but are residing in this country—to take up arms or to create a bomb or bring harm to Americans in the name of support for jihad, the name of ISIS, in the name of Al Qaeda, in the name of support for the extreme fundamentalist activities of terrorists that are prevailing not only through the Middle East but affecting the world in various places.

We know through intelligence gathering and through public statements, the United States has been put in the crosshairs. “Kill Americans, no matter how you do it, take it up. We will learn today one thing that has just come across the wires of someone who was attempting to do just that, and we just see more and more references to these types of attacks.

Unfortunately, we are in a period of time when one of the methods we had to try to detect these threats is no longer in operation. It is not in operation because the authorization for going forward with this program, described by Senator Grassley as the Foreign Intelligence Surveillance Act—the collection of raw telephone numbers, not anybody’s name but raw telephone numbers—that we could use as a base to determine whether, from a foreign source, a known terrorist or someone connected to a terrorist organization is trying to somebody in the United States. That is the program. Unfortunately, that program is dark. It is shut down. It shut down at midnight Sunday.

The program was shut down because we could not achieve support for even a minimum extension of time for which to better understand the program, to better debate and discuss the program, to make adjustments necessary to ensure that Americans’ privacy was not being breached. Several requests were made and, unfortunately, one Member, exercised his right to say no to a unanimous consent request, and we were in a position where we had to ask for congressional process to have to go through to achieve a vote. But, that vote was rejected time after time after time. So on the basis of one Member’s objection, we have what I believe, what many believe, and I believe that this is now that we have been able to disclose what it is believe is a necessary tool that ought to be in place.

This program ought to be in place for the very purpose of doing everything we can to prevent another 9/11, to prevent something much worse than 9/11, which would involve a 9/11 type of action coupled and married with a weapon of mass destruction. Where an attack in New York would not result in 3,000 in casualties—it would potentially result in 3 million casualties or even more or something concocted by a small group of people who would shoot up a shopping mall or rush into an elementary school or just simply take down a segment of the subway system or an individual attack by someone with a knife or an ax or a gun.

One of the essential programs we have had that has been successful has been under attack in terms of breach after breach not only the privacy of American citizens. I think it has been made clear in the last few days that there has been no abuse of this program and that no one’s privacy has been breached. The only allegation that holds true is that it has the potential to breach someone’s privacy. Over the years, there has never been documented abuse. No one’s privacy has been breached. To shut down a program with that kind of record on the basis that something could happen, that government could use this, I know resonates with a number of people in the United States. I really don’t blame them.

This current administration’s policies have created great distrust among the American people as to their leadership, as to their operations, as to their policies.

When we look at what has taken place with the IRS, definitely breaching people’s privacy for political purposes, we were not lucky in Benghazi and the coverup that has taken place in Benghazi, with the administration refusing to stand up and take responsibility for not responding adequately and changing the narrative and rewriting the intelligence. And when we look at Fast and Furious and the agency responsible there. I fully understand not just the frustration but the anger that American people have and the distrust they have.

One of the most difficult issues those of us in the Intelligence Committee have had to deal with is that when there are descriptions of policies that are implemented in terms of providing for an intelligence gathering and necessary response to prevent terrorist attacks, that information is classified. So when we see the program being misrepresented and described as something that it isn’t, we don’t have the ability to respond. We can’t go to the press and break our oath to secrecy. We do not and cannot release classified material.

So while we now are in a position of having to unclassify this material, we have the understanding, everything we say is not only listened to by the American people in an attempt to ensure their privacy is not being breached—and that this is an essential tool to help prevent terrorist attacks. Terrorist groups know everything that is being said and done, and they will make behavioral changes. They will make changes in terms of how they communicate.

So the program is being compromised by the very fact that we have had to get ahead. We are not understanding, everything we say is not only listened to by the American people in an attempt to ensure their privacy is not being breached—and that this is an essential tool to help prevent terrorist attacks. Terrorist groups know everything that is being said and done, and they will make behavioral changes. They will make changes in terms of how they communicate.

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The second option is to support an effort that was passed by the House of Representatives, the USA FREEDOM Act, which I wish I could say addressed the issue and doesn’t compromise the program. But it severely goes against what this program attempts to do. It compromises the program to the point where I am not even sure the program can exist under the provisions that have been enacted by the House of Representatives.

The more experienced and trustworthy individuals who don’t have to salute the Commander in Chief and can give their own unbiased opinions on this came before our Intelligence Committee and basically said that with the structure of the USA FREEDOM Act, you might as well not have the program in it because it will take down the program. There are a couple of major issues here that these amendments try to address but don’t technically address. I am going to be supporting those amendments. I think they make a bad piece of legislation a little bit better. But I have real questions as to whether it addresses the problems that really render the program inoperable.

The first is retention. There is no mandatory retention among telephone companies that they keep the information—the phone numbers—that we need in order to create a haystack of numbers from which we can identify connections between foreign terrorist organizations and operatives inside the United States. That is not done by somebody looking at anybody’s records. Before the NSA can even use a phone number, it needs to have outside approval—legal approval—to query that.

If the telephone companies don’t retain those numbers, we can’t go out and match them up. And there is no mandatory retention of those numbers. It is my amendment that I think would basically say they would have to give us notice that they don’t retain them. But there is no mandatory retention.

I can just see a lot of companies saying—and I have heard from a lot of companies: We don’t want to be responsible for trying to build in the protections and hire the people who have the background checks and the security clearances to put a regulatory process in place to make sure our people don’t abuse this or use it for the wrong purpose.

So here we have a program that is accessible only by a very limited number of people at the National Security Agency, overseen by layers and layers of lawyers and legal experts and others to make sure it is not abused in any way. They have been successful because there has not been one case of an abusiveness process against anybody’s personal liberties. There are six layers of oversight of that in place so that they can even take it to the court and say: We think we have a problem here. We think there is a suspicion—a reasonable suspicion—that a phone number may be associated with a terrorist organization.

Then the court looks at that and says: We think you have something here. But let’s check it further before we go. So this goes over to the FBI so they can then look into this in greater detail to determine whether this is a live terrorist act.

As Senator Burr said, it works on the negative side, also, and there are some examples of live situations—as in the Boston bombing and so forth—that proved the negative. It proved there wasn’t a conspiracy. It proved that just two people were involved in this. There were no connections. So they didn’t have to waste a lot of time trying to query and pull up a bunch of information about whom they had talked to, and the police were then allowed to focus their efforts on Boston and what then took place in Boston and not throw the alarm out to New York City—or we were there were on the way to New York City—and shut down New York City, causing panic and causing scare and alerting police and so forth. They were able to prove the negative of that. So it works on both sides. But without that retention, we are not going to be able to accomplish that.

So I don’t understand how the USA FREEDOM Act is a better way of protecting privacy and a better way of dealing with the fact that there is of the essence here. Instead of querying one area, we now have to go to multiple telephone companies, and there are 1,400 in the country. Let’s say there are 100 major companies or let’s say there are 10 major companies. We have to go to all 10 or to all 100 or more in order to find out whether in their database that telephone number exists.

Time is of the essence here. If you are detecting a terrorist attempt and you have a whole kind of situation that you take in order to get to the point where you think you really have something here, the act could have already been undertaken.

So those two issues, I think, are major problems with the FREEDOM Act.

The third is simply to think that the layers of protection and judicial oversight, executive oversight, and congressional oversight that take place to ensure that we don’t abuse the program through NSA—every telephone company has to insert that same level of oversight, and they simply won’t be able to do it. It will take months. It takes months to get background checks and security clearances. Many telephone companies don’t have the capacity to do that. They do not have the financial ability to do that. The irony is that individuals’ privacy is more at risk by the telephone companies holding the numbers than the NSA holding the numbers. We have been told we have not been able to convince the American people of that partly because the program has been so distortedly reported.

But this as the saving grace to protect everybody’s privacy by turning it over to the phone companies instead of turning it over to NSA just doesn’t add up.

It is going to be very difficult for me and for many of my colleagues to think—while many of us are going to support these very limited amendments, which we don’t even know the House will accept, it does not resolve the issue and does not solve the problem we are dealing with here and, in effect, could render the program inoperable.

I think when Members are making decisions about which option to choose, it is a devil’s choice. Is something better than nothing or is something really nothing and you end up with nothing and nothing? None of us wants our country to be put into that position, but that is where we are. If we are not able to secure passage of these amendments to improve this and the House rejects it, or we reject it or the House rejects it, then the program will stay inoperable.

I think the American people will then be picking up their phones and writing and emailing us and urging us to think this problem through now that they know more about it, now that they know that much of what has been said irresponsibly by Members of this body and others is not true. Once they learn more about it, I think they will take a new look, and they will take a new look.

The arguments simply do not hold up because they are not factual. Now that we have been able to release some of this classified information and now that people have the ability to understand, if they so choose—to take another look at this and the proof we have provided relative to the success of the program and relative to the need for the program.

That is what is before us. There has been a constitutional argument here regarding the Fourth Amendment, and it is important to note: “The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches.” Unreasonable. I think we have proven this is not an unreasonable search. It does not identify anybody’s name. Only after a court approves and gives the NSA the authority to go forward, similar to seeking the warrant of a judge, or we reject it, or the House simply does not act on it.

I think this program is something we can call on us—but take it into a house without a warrant. You cannot collect information without a warrant.

The case being made that there is a violation here of the Fourth Amendment simply has not held up with legal authorities or with me—condy—this is interesting. This was just pointed out to me. I am not a constitutional scholar. I took constitutional law in law school.
and probably have forgotten half of it. But I do carry it around. I do look at it, but I am not a scholar. But I think it is pretty clear and pretty interesting that article 1, section 5, talking about the legislature, says—

Each House shall keep a Journal of its Proceedings, and from time to time publish the same—

It is on our desks here. Every day, our CONGRESSIONAL RECORD, these are our proceedings—

excepting such Parts as may in their Judgment prove to be unnecessary.

That is why we have an Intelligence Committee. There are some things that require secrecy. Unfortunately, we have had to unclassify information to try to let the public know that what they have been told by their government, elected members of their government, is breaching their privacy, which is not true. We have a constitutional right as a body to make a decision and a judgment requiring secrecy. On this program, we require secrecy because once our adversaries know what we are doing, there is no way to change what they are doing and it will not be worthwhile anymore.

Also, relative to the statements made by the Senator from Connecticut, who opposes the amendment on the amicus issue, I am trying to understand that the Administrative Office of the United States Courts, Director Duff, sent a letter to the House asking for their concerns about the amicus issue effect on the court be placed in the bill. That was turned down by the House, unfortunately.

The letter says, “We respectfully request that, if possible, this letter be included with your Committee’s report to the House on the bill.”

It was sent to the chairman of the Permanent Select Committee on Intelligence, United States House of Representatives. It is in regard to H.R. 2048, the USA FREEDOM Act.

Mr. President, I ask unanimous consent that the letter I am referencing be printed in the RECORD.

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

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

Hon. Devin Nunes,
Chairman, Permanent Select Committee on Intelligence, House of Representatives, Washington, DC.

Dear Mr. Chairman: I write regarding H.R. 2048, the “USA Freedom Act,” which was recently ordered by the Judiciary Committee, to provide perspectives on the legislation, particularly an assessment that the pending version of the bill could impede the effective operation of the Foreign Intelligence Surveillance Courts.

In letters to the Committee on January 13, 2014 and May 13, 2014, we commented on various proposals in the Foreign Intelligence Surveillance Act (FISA). Our comments focused on the operational impact of certain proposed changes on the Judicial Branch of the FISA Courts and the Foreign Intelligence Surveillance Court of Review (collectively “FISA Courts”), but did not express views on core policy choices that the political branches are considering regarding intelligence collection. In keeping with that approach, we focus on specific aspects of H.R. 2048 that bear directly on the work of the FISA Courts and how that work is presented to the public. We sincerely appreciate the continued leadership of all the congressional committees of jurisdiction to listen to and attempt to accommodate our perspectives and concerns.

We respectfully request that, if possible, this letter be included with your Committee’s report to the House on the bill.

We have three main concerns. First, H.R. 2048 proposes a “panel of experts” for the FISA Courts which could, in our assessment, impair the courts’ ability to protect civil liberties by impeding their receipt of complete and accurate information from the government (in contrast to the helpful amicus curiae approach contained in the FISA Improvements Act of 2013 (“FIA”), which was approved in similar form by the House in 2014). Second, we continue to have concerns with the prospect of public “summaries” of FISA Court opinions that are not approved in similar form by the House in 2014. Second, we continue to have concerns with the prospect of public “summaries” of FISA Court opinions. As we have previously expressed, we do not believe that the intent of the drafters, but nonetheless it is our concern. As we have indicated, the full cooperation of rank-and-file government in providing the FISA Courts complete and candid factual information is critical. A perception on their part that the FISA process involves a “panel of experts” officially charged with opposing the government’s efforts could risk deterring the necessary and critical cooperation and candor. Specifically, our concern is that proposals contained in paragraphs (1)(a) and (4) of proposed section 401 (in combination with a quasi-mandatory appointment process) may create such a perception within the government that a standing body exists to oppose intelligence activities.

Simply put, delays and difficulties in receiving full and accurate information from Executive Branch agencies (including, but not limited to, cases involving non-compliance) present greater challenges to the FISA Courts role in protecting the rights of Americans than does the lack of a non-governmental perspective on novel legal issues or technological developments. To be able to become a means of facilitating the FISA Courts’ obtaining assistance from non-governmental experts in unusual cases, it is critically important that the mechanisms that end do not impair the timely receipt of complete and accurate information from the government.

We are on this point especially that we believe the “panel of experts” system in H.R. 2048 may prove counterproductive. The information that the FISA Courts need to examine to judge probable causes, espionage and targeting procedures, and determine and enforce compliance with court authorizations and orders is exclusively in the hands of government. If the “true” amicus curiae role is to oppose or curtail the agency’s work, then the prompt receipt of complete and accurate information from the government would likely be impaired—ultimately to the detriment of the national security interest in expeditious action and the effective protection of privacy and civil liberties.

In contrast, a “true” amicus curiae approach, as adopted, for example, in the FIA.
facilitates appointment of experts outside the
government to serve as amici curiae and
render any form of assistance needed by the
court, without any implication that such ex-
erts would oppose the intelligence activities proposed by the government. For
that reason, we do not believe the FIA ap-
proach poses any similar risk to the courts’
objectives.

“SUMMARIES” OF UNRELEASED FISA COURT
OPINIONS COULD MISLEAD THE PUBLIC

In our May 13, 2014, letter to the Com-
mittee on H.R. 3361, we shared the nature of our
concerns regarding the creation of public
“summaries” of court opinions that are not
themselves released. The provisions in H.R.
2048 are similar and so are our concerns. To
be clear, the FISA Courts have not objected to their opinions—whether in full or in
reduced form—being released to the pub-
lc to the maximum extent permitted by the
Executive’s assessment of national security
concerns. Likewise, the FISA Courts have al-
ways facilitated the provision of their full
opinions to Congress. See, e.g., FISC Rule of
Procedure 16.3. This is in contrast to the pro-
visions of H.R. 2048 that call for maximum public release of court opinions.
However, a formal practice of creating sum-
naries of court opinions without the under-
lying opinion being available is unprece-
dented in American legal administration.
Summaries of court opinions can be inad-
vertently misleading, and may omit key considerations that can prove crit-
ical for those seeking to understand the im-
portance of our system of justice.

More broadly, concerns identified in the
FYI Courts to train and administer amici be-

We recommend adding additional language
to clarify that the exercise of the duties
under proposed subparagraph (4) would occur
in the context of Court rules (for example,
deadlines and service requirements).

We believe that slightly greater clarity
could be provided regarding the nature of the obligations referred to in proposed subpara-
graph (10).

These concerns would generally be avoided
by substituting the FIA ap-
proach. It bears emphasis, however, that, even if H.R. 2048 were amended to address all
of these technical points, our more funda-
mental concerns about the “panel of ex-
”approach would not be fully assuaged. Nonetheless, our staff stands ready to work
with your staff to provide suggested textual
changes to address each of these concerns.

Finally, although we have no particular
objection to the requirement in this legisla-
tion of a report by the Director of the AO,
Congress would be better served if the AO’s role
would be to receive information from the
FISA Courts and then simply transmit the
report as directed by law. For the sake of brevity, we are not restat-
ing here all the comments in our previous
contribution to Congress on proposed legis-
lation similar to H.R. 2048. However, on
issues raised in those letters continue to be of
importance to us.

We hope these comments are helpful to the
House of Representatives in its consideration
of this legislation. If we may be of further
assistance in this or any other matter,
please contact me or our Office of Legisla-
tive Affairs at 202-522-3700.

Sincerely,

JAMES C. DUFF,
Director.

Mr. COATS. I thank the Senator for those
words. I think this is a fight for all of us. How I wish we had been put-
ing our time and our passion into
what the Senator from Georgia just
mentioned—a clear breach of people’s
privacy on the record and a clear de-
fense effort by this administration to
not have us go forward and examine this. If we had been putting half of the
passion into that, we would really be seeing the American people the
breaches of their privacy that are just
present.

Here we have a program that has
ever had a case of a breach of privacy,
that has more oversight than any other
program in the government, that involves all three branches of our
government—the judicial, the legisla-
tive, and the executive—all with the intent of having something in place
that can stop Americans from being
knowing that the terrorist is going to the
spend weeks arguing just to correct the
record, when so clearly in front of us we
are abuses by this administration that
we are not putting attention to—the
irony of that and the irony of the fact
that every day we have more informa-
tion about the scope of these potential
terrorist attacks against Americans.
Here we are releasing five known ter-
rorist leaders from Guantanamo to a
country. We are combing the world to
these people will take them because we
do not want to retain them here, and
we know they are going to go back.
They are not going back to be baristas
at Starbucks. They are not going back
to do lawn work back home or start a
microbusiness. They are going back to
join the enemy attack against us. They
are going back to the Taliban. They
are going back to Al Qaeda. They are
going back to do what they were
arrested for in the first place.

How ironic and how uncertain our situ-
ation is here all the way to our secu-
ritv, and we are arguing over a tool
that can help protect us instead of fo-
cusing on the real threat.

Anyway, I got worked up during the
6 days a number of times. I appreciate
that opportunity to think and try to
clarify where we are. Hopefully, the
American people are listening.

We have a momentous decision to
make coming up here very shortly. I
hope each of us will use not polls and
not what the public perception is, but
I hope each of us will use the judgment
that we had and the access to infor-
mation that we had to make a
decision on the basis of what is best for the American people, not about what is best politically, not what gets us past the next election, not what is pleasing to people who want to hear things back at home, not on any other basis than what is necessary to do everything that can be done to keep us safe from known terrorist attacks that are multiplying faster than we can keep up with across the world, and Americans are in the crosshairs. Our decision should be based on that and that alone.

I yield the floor.

RECESS

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

Thereupon, the Senate, at 12:59 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

USA FREEDOM ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I would like to inquire as to the order.

The PRESIDING OFFICER. The Senate is considering H.R. 2048 postcloture.

Mr. INHOFE. Mr. President, I ask that I be recognized.

The PRESIDING OFFICER. The Senator is recognized.

Mr. INHOFE. Mr. President, I know we have all had a chance to talk about this and the seriousness of what is now before us at this time. I look at the seriousness of this, and I listened to a lot of people standing on the floor and saying things that sound popular to people back home, and I have heard from some of the people in my State of Oklahoma, saying: They talk about the privacy problems and all these things that might be existing. Then I always think about my 20 kids and grandkids and think that they are the ones who are at stake.

The world we have right now is a much more dangerous world than it has ever been before. I look wistfully back at the good old days of the Cold War when we had a couple superpowers. We knew what they had—mutual assured destruction. It really meant something at that time. Now we have crazy people with capabilities, people in countries who have the ability to use weapons of mass destruction.

So right after 9/11 we formed the NSA. We have been talking about that down here. It is not perfect, but I think it is important at this last moment to point out the fact that a lot of lies have been told down here. I heard one person—I think two or three different ones talking about and making the statement that since the NSA procedure was set up after 9/11, that has not stopped one attack on America. I would like to suggest to you that a good friend of mine and a good friend of the Chair’s, General Alexander, who is a very knowledgeable person and ran that program for a while, said—and this was way back 2 years ago, 2013—information “gathered from these programs provided government with critical leads to prevent over 50 potential terrorist attacks in more than 30 countries around the world” and that the phone database played a role in stopping 10 terrorist acts since the 9/11 attacks.

I was very pleased to hear from my good friend, Senator SESSIONS, a few minutes ago that a brand new poll that just came out of the field shows that almost two-thirds of the people in America want to go back and give back to the NSA those tools we took away 2 days ago.

Now we have a situation where we can talk about a few of the cases where major attacks on this country were stopped by the process we put in place after 9/11.

One was a planned attack in 2009. Najibullah Zazi was going to bomb the New York City subway system. The plan was for him and two high school friends to conduct coordinated suicide bombings, detonating backpack bombs New York City subway trains near New York’s two busiest subway stations; that is, Grand Central Station and Times Square.

Sean Joyce, the Deputy FBI Director, said that the NSA intercepted an email from a suspected terrorist in Pakistan communicating with someone in the United States “about perfecting a recipe for explosives.”

On September 9, 2009, Afghan-American Zazi drove from his home in Aurora, CO, to New York City, after he emailed Ahmed—that was his Al Qaeda facilitator in Pakistan—that “the marriage is ready.” That was a code that meant “We are ready now to perform our task.” The FBI followed Zazi to New York City and broke up the plan of attack, and they stated it was because of the email that was intercepted by the NSA that allowed them to do that.

How big of a deal is that? People do not stop and think about the fact that if you look at the New York City subway stations down there, we know that the average ridership of the New York City subway during peak hours averages just under 900,000 people—that is, 900,000 people, Americans who are living in New York City.

What we do know is that when they came to New York City to perform their plan at Grand Central Station and Times Square, it was the NSA using the very tools we took away from them 2 days ago, and you wonder, how many lives would have been lost? If there are 900,000 riders on the subway and they are ready to do this at two stations, are we talking about 100,000 lives, 100,000 Americans being buried alive? That attack was precluded by the tools that the NSA that we took away from them just 2 days ago. Many more have not been declassified.

GEN Michael Hayden and GEN Keith Alexander, who are both former Directors of the NSA, and others have confirmed to me personally that at least one of the three terrorist attacks on 9/11 could have been avoided, and perhaps all three could have been avoided if the terrorist leaders had the tools of the NSA right after 9/11, and also the attack on the USS Cole could have been prevented entirely.

So you have to stop and think, it is a dangerous thing to stand on the floor and say we have formed this thing in this dangerous world and it has not stopped any attacks on America. That is what we are faced with today.

I voted against the program the House passed that is going to be considered in just a few minutes. I felt it was better to leave it as we had it. Now that is gone. I look at it this way: I do support the amendments that are coming up. I do think the last opportunity will have will be the moment we will be voting on in just a few minutes.

So let’s think about this, take a deep breath, and go ahead and pass something so we at least have some capability to stop these attacks and to get the information from who would perpetrate these attacks and then have time to put together a program that will be very workable and make some changes if necessary.

With that, Mr. President, I yield the floor.

EXTENDING FISA PROVISIONS

Mr. LEAHY. It is unfortunate that we were unable to pass the USA FREEDOM Act before the June 1, 2015, sunset of sections 206 and 215 of the USA PATRIOT Act and the so-called “lone wolf” provision of the Intelligence Reform and Terrorism Prevention Act. Senator LEE and I both sought to bring up the USA FREEDOM Act well before the sunset date to avoid just this situation. Now that the roving wiretap, business records, “lone wolf” provisions have lapsed, it is important that we make clear our intent in passing the USA FREEDOM Act this week—albeit a few days after the sunset.

Could the Senator comment on the intent of the Senate in passing the USA FREEDOM Act after June 1, 2015? Mr. LEE. Although we have gone past the June 1 sunset date by a few days, our intent in passing the USA FREEDOM Act is that the expired provisions be restored in entirety just as they were on May 31, 2015, except to the extent that they have been amended by the USA FREEDOM Act. Specifically, it is both the intent and the effect of the USA FREEDOM Act that the now-expired provisions of the Foreign Intelligence Surveillance Act, FISA, will, upon enactment of the USA FREEDOM Act, read as those provisions read on May 31, 2015, except insofar as those provisions are modified by the USA FREEDOM Act, and that they will be restored in entirety within 90 days of the enactment of the USA FREEDOM Act after June 1, 2015.

The PRESIDING OFFICER. The amendment proposed by Senator LEE, for the consideration of which the Senate has agreed, may be discussed by not more than two Senators, each to speak not more than five minutes.

Mr. LEE. Mr. President, I would like to yield the floor.
Mr. LEAHY. I would also point out that when we drafted the USA FREEDOM Act, we included a provision to allow the government to collect call detail records, CDRs, for a 180-day transition period, as it was doing pursuant to Foreign Intelligence Surveillance Court orders prior to June 1, 2015. This provision was intended to provide as seamless a transition as possible to the new CDR program under section 101 of the USA FREEDOM Act. I thank the junior Senator from Utah for his partnership on this bill.

Mr. HATCH. Mr. President, our terrorist enemies continue to present a clear and present danger to our Nation’s safety. We must use a broad array of information gathering tools to be successful in thwarting their plots and preventing future attacks. As the top Republican on the Senate Judiciary Committee after 9/11, I worked to craft an all-of-agency, all-of-government approach to protecting our national security. This argument was persuasive to the Senate, which voted for a seamless 180-day transition. We still lack such a provision to carefully transition to the new program.

One of the other major flaws of the USA FREEDOM Act is its amicus curve, which would insert a legal advisor into the FISA COURT process to make arguments to advance privacy and civil liberties. Such an approach threatens to insert left-wing activists into an incredibly sensitive and already well-functioning process, a radical move that would stack the deck against our law enforcement and intelligence communities. Given that previous law already provided intensive scrutiny and oversight from the Justice Department, Congress, and the courts, this amendment is unnecessary and potentially quite dangerous.

The Senate’s action today undermines not only the operational effectiveness of one of our most critical tools to safeguard our national security. Going forward, I will do everything within my power to ensure that our law enforcement and intelligence professionals have all the tools they need to keep us safe.

Mrs. BOXER. Mr. President, Sunday night was just another self-inflicted crisis from Senator MCCONNELL and the Republican leadership. Playing politics with our national security is reckless. And allowing others to play politics with our national security, against the majority of the U.S. Senate and House, is not leadership.

The Republicans said, “Put us in the majority and we will govern responsibly.” They claimed there would be no more shutdowns, no more government by crisis. Yet, on Sunday night our intelligence professionals were left without the important tools they need to fight terrorism. And now Republicans are at it again—proposing amendments that would delay the process and leave us without these critical capabilities for even longer.

FBI Director Comey said that his Agency uses section 215 fewer than 200 times per year, but when the FBI uses section 215, it does so many times per year that they could not function without it. Put another way, Senator McCONNELL and the Republican leadership decided that our law enforcement agencies could not function without section 215, yet they took away the tools that would allow them to do so.

One of the fundamental flaws of the USA FREEDOM Act is that it undermines the critical national security tool of bulk data collection. The USA FREEDOM Act would make it much harder for law enforcement and national security analysts to access the metadata collected by the government but in the private sector.

The bill reforms the PATRIOT Act provisions that allow the government to collect bulk data on telephone calls. The Senate’s action today undermines not only the operational effectiveness of one of our most critical tools to safeguard our national security. Going forward, I will do everything within my power to ensure that our law enforcement and intelligence analysts have all the tools they need to keep us safe.

Mr. FRANKEN. Mr. President, thank you.

I rise today to urge prompt passage of the House-passed USA FREEDOM Act of 2015 and to urge opposition to the amendments offered by the majority. The Senate’s action today undermines not only the operational effectiveness of one of our most critical tools to safeguard our national security. Going forward, I will do everything within my power to ensure that our law enforcement and national security professionals have all the tools they need to keep us safe.

The USA FREEDOM Act works to end bulk collection programs that our intelligence community has told us are not necessary. At the same time, the bill makes sure our national security agencies have legal tools that are necessary to protect our Nation. Put simply, the USA FREEDOM Act of 2015 strikes the balance we need—making sure that our government can keep our Nation safe without trampling on the rights of our citizens’ fundamental privacy rights.

Of course, the public cannot know if we are succeeding in striking that balance if they do not have access to even the most basic information about our major surveillance programs. That is why my focus has been on the legislation’s transparency provisions. Under the provisions I wrote with Senator
Mr. LEAHY. Mr. President, I wish to thank the former U.S. attorney to work on the USA FREEDOM Act for his words. The press and everybody else should do.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I wish to thank the Senator from Minnesota for his words. The press and everybody else does not see the hundreds of hours of negotiations between Democrats and Republicans, Senators and Members of the House of Representatives working on this. The Senate from Minnesota and those of us were very hard to get us to the point where we are today. It has not been easy. Nobody got everything they wanted. I didn’t get everything I wanted. Senator LEE didn’t get everything he wanted. The Senator from Minnesota didn’t get everything he wanted. But because of the work of people such as the Senator from Minnesota, we have a far better piece of legislation, and it is probably why it passed. It passed with Republicans and Democrats agreeing. In fact, that is why we have to reject these amendments and we have to cleanly pass the House-passed USA FREEDOM Act.

SENATOR MCCONNELL. Again, I would emphasize to Senators how much time has gone into this by key Republicans and key Democrats in the House and key Republicans and key Democrats in the Senate. We have worked behind the scenes for days, weeks, and months to get here.

Mr. BLUMENTHAL, Senator FRANKEN, and others have spoken about the reasons the House-passed USA FREEDOM Act is the only way to avoid prolonging the uncertainty that the intelligence community now faces because of the lapse in the three authorities this past Sunday. I think both Senator LEE and I would agree the lapse in authorities was entirely avoidable. The Senate majority has put the intelligence community and the American people in this position because of a manufactured crisis, procedural delays.

The majority leader’s main substitute amendment makes two additions to the bill. The first is a requirement that electronic communications service providers notify the government if they plan to shorten the length of time they retain call detail records—records that the government may seek to query under the USA FREEDOM Act.

The fact is, based on how our country’s telecom infrastructure is set up, the government only goes to a handful of companies for call detail records, and those companies have told us they have business reasons for retaining records. Based on a long history of working with these companies—under these authorities, other authorities—the Attorney General and the Director of National Intelligence have told us the USA FREEDOM Act is fine as it is. There is really no problem, no indication of a solution here. And look, this is the kind of thing that we can revisit if in the future some change in circumstances means that data retention threatens to become a problem. It certainly does not need to risk derailing the bill and its reforms now.

The second change in the majority leader’s substitute amendment is a certification requirement asking the Director of National Intelligence to certify to Congress that the USA FREEDOM Act’s transition from bulk collection of call detail records to a more targeted approach is operationally effective.

To be clear, this certification, whether issued or not, in no way affects the effective date of the bill or the timeline for the transition. It has no statutory limitations. It is a wholly unnecessary deviation from the House-passed bill. If there is a problem with the operationally effective provision in transition, you can bet that the Director of National Intelligence is going to let us know, and I would certainly hope and expect that we would all be ready to listen and work with him at that point. Again, this is the kind of thing that should not risk derailing the bill now.

The majority leader has offered other amendments that seek to weaken the USA FREEDOM Act directly. One amendment would lengthen the time before the bill with its various reforms goes into full effect. That would do nothing but unnecessarily extend bulk collection programs. NSA has told us they can transition in 6 months, as provided for in the bill. There is no justification for extending the timeline now.

Another amendment would render ineffective one of the safeguards for Americans’ privacy rights and civil liberties in the bill. This amendment would weaken the role of outside, non-government experts in participating in certain cases before the FISA Court. That is an unacceptable change to a provision that has already been the subject of bipartisan negotiations and compromise.

That is really the thing to remember—this is a compromise bill. In writing our transparency provisions, Senator HELLER and I had to compromise a great deal. We didn’t get everything we wanted when we initially negotiated these provisions last year, and we had to compromise further still this year. I am disappointed that the bill doesn’t include all of the requirements that were agreed to in workshops with the intelligence community and that were included in the Senate bill last Congress. But that is the nature of bipartisan compromise. And I recognize that right now we need to start by taking one big step in the right direction, and that is by passing the USA FREEDOM Act.

Down the road, we will have the opportunity to revisit these issues as needed. For my part, I am committed to working with my colleagues to revisit the transparency provisions. We still have work to do, particularly with regard to section 702, which has to deal with the collection of communications of foreigners abroad. But, again, right now it is clear what needs to happen in this Chamber. We need to pass the House-passed USA FREEDOM Act without further amendment. If we do that, we can get these authorities back up and running. That is exactly what we should do.

I thank the Chair, and I yield the floor.
Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote? The question was announced—yeas 42, nays 56, as follows:

[Rollcall Vote No. 198 Leg.]

YEAS—42
Alexander
Ayroette
Barrasso
Blumenthal
Boozman
Burr
Capito
Cassidy
Caputo
Cochran
Collins
Corker
Cotton
Cronyn
Cotton

NAYS—56
Balduin
Benen
Blumenthal
Boozman
Burr
Capito
Cassidy
Cassidy
Caputo
Cochran
Collins
Corker
Cotton

The amendment (No. 1451) was rejected.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—H.R. 1735
Mr. MCCONNELL. Mr. President, I ask unanimous consent that the closure motion with respect to the motion to proceed to H.R. 1735, which is the Defense bill, be withdrawn; further, that at 12:30 p.m., on Wednesday, June 3, the Senate proceed to the consideration of H.R. 1735, and it be in order for Senator MCCAIN to offer amendment No. 1463, the text of which is identical to S. 1576, the Armed Services Committee-reported NDAA bill; finally, that the time until 2:30 p.m., be for debate only and equally divided between the bill managers or their designees.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, reserving the right to object, we are not the sort of minority party that objects to virtually everything. We want to help move things forward. But I also want to be clear that we are not going to require a vote to move forward on the Defense authorization bill. But everyone should be aware that the President said he would veto this bill. It has all of this strange funding in it—fundings that my Republican colleagues rallied against on previous occasions. Now they are using it.

We have grave concerns about this bill. Unless it is changed, I repeat, the President will veto it. I hope there are some significant changes in the bill while it is on the floor so we can help to vote to get it off the floor. So based upon that, I do not object.

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

VOTE ON AMENDMENT NO. 1450

The question is on agreeing to amendment No. 1450.
The yeas and nays have been previously ordered.
The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WARNER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?
The question was announced—yeas 44, nays 54, as follows:

[Rollcall Vote No. 199 Leg.]

YEAS—44
Alexander
Ayroette
Barrasso
Blumenthal
Boozman
Burr
Capito
Cassidy
Cassidy
Caputo
Cochran
Collins
Corker
Cronyn
Cotton

The amendment (No. 1450) was rejected.

VOTE ON AMENDMENT NO. 1459

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1459.
The yeas and nays have been previously ordered.
The clerk will call the roll.

The legislative clerk called the roll.
Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?
The result was announced—yeas 43, nays 56, as follows:

[Rollcall Vote No. 199 Leg.]
Mr. MCCONNELL, I will now proceed on my leader time. The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, earlier this year I observed that President Obama's new privacy policy has been noteworthy for its consistent objectives. He has been very consistent—drawing down our conventional and nuclear forces, withdrawing from Iraq and Afghanistan, ending the tools developed by the previous administration to wage the war on terror and placing a greater reliance upon international organizations and diplomacy. That has been the hallmark of the Obama foreign policy.

None of this is a surprise. The President ran in 2008 as the candidate who would end the wars in Iraq and Afghanistan and the war on terror. And our Nation has a regrettable history of drawing down our forces and capabilities after each conflict, only to find ourselves unprepared for the next great struggle.

The book ends to the President's policies were the Executive order signed his very first week in office that included the declaration that Guantanamo would by closed within a year, without any plan for what to do with its detainees, and the Executive order that ended the Central Intelligence Agency's detention and interrogation programs. Now, some of these detainee issues are based on records available to us, preparing to rejoin the Taliban. Some are in Uruguay, camped out in a park across from the American embassy. And, regrettably, some are back on the battlefield in Yemen, Afghanistan, and Syria. These are other hallmarks of the Obama foreign policy.

Last year the President announced that all of our combat forces would be withdrawn from Afghanistan by the end of his term in office, whether or not the Taliban were successful in capturing parts of Afghanistan, whether or not Al Qaeda senior leadership has found a more permissive environment in the tribal areas of Pakistan, and whether or not Al Qaeda has been completely driven from Afghanistan.

And, regrettably, some are back on the battlefield in Yemen, Afghanistan, and Syria. These are other hallmarks of the Obama foreign policy.

The amendment (No. 149) was rejected.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Senator LEAHY be recognized for 3 minutes. Then, I would say to my colleagues, I am going to use my leader time to make a final statement, and then we will be ready for the final vote.

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

The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the distinguished majority leader for his courtesy.

Very briefly, we worked for weeks across the aisle and actually across the Capitol. I don’t know how many meetings Senator LEE, and others, and I have had. Now the Senate is finally poised to pass our USA FREEDOM Act and send it to the President for his signature. This bill brings much-needed reform to the government’s surveillance authorities. It will end the bulk collection of Americans’ phone records, increase transparency, improve oversight, and, most importantly, help restore Americans’ privacy—all while ensuring that the intelligence community has the tools it needs to keep us safe.

I am proud to have done this. I have fought to protect the privacy and constitutional rights of Vermonters and all Americans since 1975, when I cast my first-ever vote as a Senator to approve the establishment of the Church Committee. I will continue to fight for Americans’ privacy.

I urge Senators to vote to pass the USA FREEDOM Act.

The PRESIDING OFFICER. The majority leader.

June 2, 2015

Congressional Record — Senate
Committee and his committee colleagues have worked with determination to educate the Senate concerning the legal, technical, and oversight safeguards currently in place.

We hear concerns about public opinion. The poll was released—"we heard"—just today. The CNN poll is not exactly part of the rightwing conspiracy. It states that 61 percent of Americans—61 percent of Americans—think that the expiring provisions of the PATRIOT Act, including data collection, should be reauthorized.

So if there is widespread concern out of America about privacy, we are not picking it up. They are not reporting it to CNN. Sixty-one percent say: I am not concerned about my privacy. I am concerned about my security.

So my view is that the determined effort to fulfill campaign promises made by the President back in 2008 reflects an inability to adapt to the current threat—what we have right now—an inflexibility that political experiences and a policy that will leave the next President in a weaker position to combat ISIL.

I cannot support passage of the so-called USA FREEDOM Act. It does not enhance the privacy protections of American citizens, and it surely undermines Americans’ security by taking one more tool from our war fighters, in my view, at exactly the wrong time.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, if my friend the majority leader is concerned, as he should be, about why the country is less secure—especially in the last couple of weeks—he should look in the mirror. We have a situation where he has tried to divert attention from what has gone on here. It was as if there had been a big neon sign flashing saying: You can’t do highway reauthorization, you can’t do FISA reauthorization, and you can’t do anything in 4 or 5 days.

To do this right, we should have spent some time on FISA. Because of the mad rush to do trade, that did not happen. So today to try to divert attention from what I believe has been a miscalculation of the majority leader, it is making this country less safe.

Every day that goes by with the FISA bill not being reauthorized is a bad day for our country. It makes us less safe. And to try to divert attention, as he has tried to do in the last few minutes—blaming the Obama administration for stopping torture, the detention centers, pulling troops out of Iraq—I say, my friend is looking in the wrong direction.

The issue before us is not to be—and he is, in effect, criticizing the House of Representatives for passing this FISA bill, to reauthorize it in a way that is more meaningful to the American people and makes us more safe. It makes it so people feel more secure about the intelligence operations we have going on in this country.

Is he criticizing the Speaker for working hard to get this bill reauthorized and in a fashion the American people accept? Because his criticism today is not directed toward people who voted here today; it is directed toward the bipartisan efforts in the House of Representatives that passed this bill overwhelmingly, with 338 votes. It is one of those things they have done over there, and they did it for the security of this Nation. I do not think any of us needs a lecture on why we are less secure today than we were a few days ago. I hope everyone will vote to reauthorize possibilities that we have available if this law passes. If it does not pass, what are we going to do? It will go to the House of Representatives. The majority leader of the House of Representatives, the distinguished House Member from California, Mr. McCarthy, said: They do not want anything from us. They want this bill passed. They want the USA FREEDOM bill passed today. That is what the chairman of the Judiciary Committee, Mr. Goodlatte, said. Of course, what the Democratic leader says also.

Let’s vote. A vote today to pass this bill will make our country safer immediately, not a week from now. That is how it will happen. If this bill is changed when it goes to the House—I am sorry—if it does not go to the President directly, and it should go directly from here to the President of the United States. He can sign this in a matter of hours and put us back on a more secure footing to protect ourselves from the bad guys around the world.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Mr. President, as my good friend, the minority leader, frequently reminded me over the last few years, the majority leader always gets the last word.

Look, his fundamental complaint is he does not get to schedule the Senate anymore. He wanted to kill the President’s trade bill, and so he did not like the fact that we moved to the trade bill early enough before the opposition to it might become more severe.

I say to the Senate, the minority leader, he does not get to set the schedule anymore. My observations about the President’s foreign policy are directly related to the vote we are about to cast. It remains my view—I know there are differences of opinion, and I respect everybody in here who has a different opinion—that this bill is part of a pattern to pull back, going back to the time the President took office. I remember the speech in Cairo back in 2009 to the Muslim world, which sought to question American exceptionalism. We are all pretty much alike. If we just talked to each other more, everything would be OK. In almost every measurable way, all the places I listed, plus Ukraine—you name them—we have been pulling back. My view with regard to my position and my vote is that this is a step in the wrong direction. But I respect the views of others, and I suspect the minority leader will be happy at the end of the day. It appears to me the votes are probably there to pass this bill, and it will go to the President. I still think it is a step backward from where we are. It has been a great debate. I respect all of those who engaged in it on both sides. I think it is time to vote.

I yield the floor.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina, Mr. GRAHAM.

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

The result was announced: yeas 67, nays 32, as follows:

[Rollcall Vote No. 201 Leg.]

YEAS—67

Alexander Garner Morukowski
Ayotte Gilibrand Murphy
Bennet Grassley Murray
Bennenthal Heinrich Nelson
Booher Heitkamp Peters
Boozman Heller Reed
Brown Hirono Risch
Cantwell Hoeven Rounds
Capito Inhofe Schatz
Cardin Johnson Schumer
Carper Kaine Scott
Casey King Shaheen
Cassidy Klobuchar Stabenow
Coons Lankford Sullivan
Corzine Leahy Tester
Cruz Levy Udall
Donnelly Manchin Vitter
Durbin Markley Warner
Durbin McConnell Warren
Finkenstien Merkley Whitehouse
Franken Mikulski Wyden

NAYS—32

Barrasso Ernst Roberts
Barrasso Fischer Rubio
Burr Hatch Sanders
Burke Inskon Sansoe
Coats McCain Sessions
Cochran McConnell Shelby
Collins Moran Sullivan
Collins Paul Tuley
Cotton Perdue Tuille
Crapo Portman Toomey
Cruz Risch Wicker

NOT VOTING—1

Graham

The bill (H.R. 2048) was passed.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each; further, that at 5 p.m., Senator ROUNDS be
recognized to deliver his maiden speech.

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

The PRESIDING OFFICER. The Senator from Vermont.

USA FREEDOM ACT

Mr. LEAHY. Mr. President, the bill we just passed is a historic moment. It is the first major overhaul of government surveillance laws in decades that adds significant privacy protections for the American people. It has been a long and difficult road, but I am proud of what the Congress has achieved today.

This is how democracy is supposed to work. Congress is ending the bulk collection of Americans’ private phone records once and for all.

To my partners in the Senate on both sides of the aisle, I thank you. Senator LEE, whose name is on our bill here in the Senate, believes strongly in our constitutional system of government. He has worked tirelessly to advance this bill from the day we first introduced the USA FREEDOM Act. Senator FRANKEN has devoted himself to the transparency measures in the bill. Senator EMKIN has shaped a First Court amicus provisions. This was hard fought, and they never wavered.

I also want to thank Senators HELLER, CRUZ, MURKOWSKI, DAINES, DURBAN, and SCHUMER, the other original co-sponsors of this bill. They have worked hard to help advance this legislation and build the coalition we needed to finally get to our strong bipartisan vote in the Senate for passage. I must also mention Senator FEINSTEIN, who provided invaluable support to get this bill across the finish line. Of course, I also need to thank Minority Leader Reid, who has never wavered in his strong support and responsible leadership.

On the House side, Chairman GOODLATTE and Congressmen SENSENBERGER, COYERS, and NADLER have been the kind of bipartisan partners on this bill that every legislator wants in their corner.

I also need to thank Senators WYDEN and HEINRICH and former Senator Mark Udall, who used their positions on the Senate Intelligence Committee to ask the hard questions behind closed doors and who have fought to end this program for so long.

While much work to do, we have accomplished something momentous today. We are a better nation for it.

I also want to thank the many staffers who have worked long hours on this legislation for nearly two years now. On my own Judiciary Committee staff, I thank Chan Park, Lara Flint, Jessica Brady, Hasan Ali, Patrick Sheahan, Logan Gregoire, Jonathan Hoadley, Joel Park and Kristine Lucius. My personal staff, including J. Kim Albrecht, Erica Chabot, David Carle, John Tracy and Diane Derby, also worked hard on this effort, and I am grateful for that. I also want to thank Democratic and Republican Senate staffers who have toiled countless hours on this effort, including Matt Owen, Mike Lemon, Wendy Baig, James Wallner, Josh Finestone, Scarlet Doyle, Ayesha Khanna, Alvaro Bedoya, Helen Gilbert, Sunantha Chalifet, Sam Simon, John Dickas, Chad Tanner, and Jennifer Barrett.

We not only worked across the aisle on this legislation, but we also worked across the Capitol. The bipartisan group of House staff who helped to craft this bill and generated such an overwhelming vote on this legislation deserve enormous credit for their work: Caroline Lynch (who along with Lara Flint deserves a perfect attendance award for extensive negotiating sessions), Bart Forsyth, Aaron Hiller (whose wife deserves our thanks as she had a baby just weeks before the House considered the bill), Jason Herrig, Shelley Husband, Brandon Ritchie, and Perry Apelbaum.

I thank those at the White House who devoted countless hours including Josh Pollack, Jeff Ratner, Ryan Gillis, Michael Bossworth, and Chris Fonzone. I also appreciate the work of so many other executive branch officials at the Justice Department, Federal Bureau of Investigation, Office of the Director of National Intelligence, and National Security Agency who work so hard to keep our country safe and answered our questions at all hours of the day and night.

I also need to thank the many public interest groups, on all ends of the political spectrum, who stuck with us despite many challenges. There are too many to name, but without their energy and expertise, this reform effort would never have come to fruition. Likewise, the technology industry provided invaluable input and support for this legislation.

And finally, I would like to thank the dedicated staff in the Office of Senate Legislative Counsel, whose tremendous work in assisting us with legislative drafting often goes unnoticed and unrecognized. In particular, I want to thank John Henderson, Kim Albrecht-Taylor, and James Ollen-Smith for their assistance and technical expertise.

Seeing nobody else seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. Ayotte). Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, today I am here for the 101st time to urge this body to wake up to the threat of climate change. It is real, it is caused by carbon pollution, and it is dangerous.

There is a legislative answer to this problem that my Republican colleagues should consider, and that is a carbon fee.

The unpleasant fact here in Congress presently, anyway, is that Congress is ruled by the lobbyists and the political enforcers for the fossil fuel industry. But outside this Chamber, where the fossil fuel industry’s power is less fierce, there is considerable conservative support for a carbon fee.

Leading right-of-center economists, conservative think tanks, and former Republican officials, both legislative and executive, all say that putting a price on carbon pollution is the right way to deal with climate change. They know that climate denial cannot stand against the facts. As the Washington Post reported last month, prominent thinkers on the right are “increasingly pushing” for a climate policy based on the conservative principles of limited government, such as property rights, market efficiency, and personal liberty. They recommend pricing carbon.

Jerry Taylor, a former vice president at the CATO Institute now leads his own Libertarian think tank, which is making the case for a carbon fee. He recognized that “the scientific evidence became stronger and stronger over time.” He knows climate denial is not an option. He says that “because the public climate change is a non-diversifiable risk, we should logically be willing to pay extra to avoid climate risks.” Taylor points out that hedging against terrible outcomes is what we expect in our financial markets. Why should we not do the same for climate change?

Conservatives have also long agreed that government should prevent one group harming another. Conservative economist Milton Friedman still tops the reading lists of the Republican Presidential hopefuls. I recommend pricing carbon.

Leading right-of-center economists, conservative think tanks, and former Republican officials, both legislative and executive, all say that putting a price on carbon pollution is the right way to deal with climate change. They know that climate denial cannot stand against the facts. As the Washington Post reported last month, prominent thinkers on the right are “increasingly pushing” for a climate policy based on the conservative principles of limited government, such as property rights, market efficiency, and personal liberty. They recommend pricing carbon.

There’s always a case for the government to do something about it. Because there is always a case for the government to some extent when what two people do affects a third party.

Friedman is describing what he called “neighboring externalities” or what many economists call “negative externalities.” A negative externality is when two parties engage in a transaction and the result of that transaction causes damage to a third party. A third party that did not consent to the arrangement. That is an externality, and when the consequence is harmful, it is a negative externality. In a free society, wrote Friedman, government exists, in part, to diminish those negative externalities.

When the costs of such negative externalities don’t get factored into the price of a product, even conservative economic doctrine classifies that
as a subsidy. For the polluters who traffic and burn fossil fuels, that subsidy is huge.

In a finding it describes as “shocking,” the International Monetary Fund estimated the true costs of fossil fuel energy to account for public health problems, climate change, and other negative externalities, and they added it up to a pollutor world subsidy of $5.3 trillion a year. The subsidy here in the United States for the fossil fuel industry will hit $690 billion this year. It is because fossil fuel enforcers wield their clout in Congress so energetically. At $700 billion a year just in the United States, why would the big polluters not want to squeeze one more fiscal quarter, one more year of public subsidy out of the rest of us at $700 billion a year? We usually talk about big numbers here in the Senate over a 10-year period. That is how our budget works. Over a 10-year budget period, that is $7 trillion. No wonder they are so remorseless.

From their point of view, lunch is good when someone else is picking up the tab, and Senate Republicans have been far too willing to let the polluters dine for free. Outside of this Chamber, however, conservative economists call such an enormous public subsidy a market failure. The price of fossil fuel energy does not match its true costs. That market imbalance artificially favors polluting fuels and their producers-picking winners and losers, if you will.

A carbon fee can make the markets more efficient and level the playing field for different types of energy. Anyone who really believes in a free market should favor a carbon fee. That is what makes it work.

Harvard Professor N. Gregory Mankiw has been an economic advisor to President George W. Bush and to Presidential candidate Mitt Romney. He has written that a carbon fee can help repair such a market failure and that “the idea of using taxes to fix problems, rather than merely raise government revenue, has a long history.” In a 2013 New York Times op-ed, former Republican EPA Administrators Bill Ruckelshaus, Christine Todd Whitman, Lee Thomas, and William Reilly wrote: “A market-based approach, like a carbon tax, would be the best path to reducing greenhouse-gas emissions.”

A carbon fee can also generate significant revenue, and this could help achieve conservative priorities, such as lowering taxes. Art Laffer, one of the architects of President Reagan’s economic plan, popularizer of the famous “Laffer curve,” has looked at using a carbon tax to fund a payroll tax cut. He said: “I think that would be very good for the economy.”

Did you get that? Arthur Laffer, President Reagan’s economic adviser, said that a carbon tax, funding a payroll tax cut, “would be very good for the economy.” And as an adjunct, he continues: “It would also reduce carbon emissions into the environment.” It is a pretty simple idea. You can lessen the tax burden on things that you do want—employment, jobs, profits—and make up for the lost revenue by ending the subsidy of something you don’t want—pollution.

What is not to love unless you are a big polluter? Dr. Irwin Stelzer, an editor at the Weekly Standard and director of economic policy studies at the conservative Hudson Institute, said that fuel swapping carbon fee, “conservative support would depend solely on a desire to get the economy growing faster by shifting the tax burden from good stuff like work to bad stuff like pollutants.”

The fundamental conservative faith in the free market points to a carbon fee. A carbon fee priced at the true social cost of carbon would allow the market—not the polluters, not the government—to sort out which energy mix is better. If a carbon fee is begun soon, Republicans have a choice to make: Are they real conservatives who will support a free market solution or are they the playthings of the fossil fuel industry, which will not pick up this question at all?

Well, if you do not like picking winners and losers, then quit favoring fossil fuel to the tune of $700 billion a year just in America and level the playing field with a good, conservative, deficit-neutral carbon fee. Level the playing field.

That is how George Shultz sees it. George Shultz was President Nixon’s Treasury Secretary and President Reagan’s Secretary of State. He and Nobel laureate economist Gary S. Becker made the case for a carbon fee in the Wall Street Journal:

Americans like to compete on a level playing field. All the players should have an equal opportunity to win based on their competitive merits, not on some artificial imbalance that gives someone or some group a special advantage.

That is why Secretary Shultz supports a price on carbon.

As an addition, there is also a huge economic win that will result, according to knowledgeable conservatives. Last year, George W. Bush’s Treasury Secretary, Hank Paulson, said, “A tax on carbon emissions will unleash a wave of innovation to develop technologies, lower the costs of clean energy and create jobs as we and other nations develop new energy products and infrastructure.”

Former Republican Congressman Bob Inglis has become a leading conservative for a tax fight against climate change. He specifically supports using a carbon fee and even introduced legislation when he was in Congress to price carbon and cut payroll taxes, the Laffer combination. Last year, he told the Dallas Morning News that this would create economic opportunity. He said:

“We are discovering in climate science . . . that there is a risk that we can avoid from the creative innovation that comes from free enterprise. We have a danger and an opportunity. As a conservative, I say what a great opportunity to create wealth, innovate, and solve a problem around the globe. By the way, Representative Inglis’s dedication to this issue recently earned him the John F. Kennedy Profile in Courage Award. I offer him my sincere congratulations. It does, indeed, take courage to come out from behind the veil of skepticism and denial to face the plain truth and to propose real, concrete solutions. That is especially true when the fossil fuel industry wants such relentless, remorseless power over the Republican Party today.

President Obama’s Clean Power Plan is at last putting an end to the free lunch for the fossil fuel industry. This ought to motivate the industry to rethink its inequitable, subsidy-ridden business model. Which is more efficient, anyway—government regulation or proper market pricing?

Enterprise Institute scholars Kevin Hassett, Steven Hayward, and Kenneth Greene put it, “Because a carbon tax would cause carbon emissions to be reduced efficiently across the entire market, other measures to reduce carbon sometimes even perverse in their impacts—could be eliminated . . . As regulations impose significant costs and distort markets, the potential to displace a fairly broad swath of environmental regulations with a carbon tax offers benefits beyond [greenhouse gas] reductions”—i.e., economic benefits.

Republicans in Congress have a real chance to help remake the U.S. energy market under conservative, free market principles. As far back as 1992, former Chairman of President Reagan’s Council of Economic Advisers, Martin Feldstein, wrote in the Wall Street Journal: “Although a general carbon fuel tax is moot for the moment, the idea will not go away. If carbon dioxide emissions are to be reduced further in the U.S., such a tax will achieve that goal with less economic waste than new bureaucratic hurdles.

Why don’t today’s Republicans abide by this conservative principle? As Douglas Holtz-Eakin, CBO Director under the prior Republican Congress and economic advisor to our friend Senator MCCAIN’s Presidential bid, wrote in the National Review, “In the bad old days, Democrats bad-mouthed trading systems and price mechanisms; Republicans opposed rifle-shot subsidies and mandates. Weirdly, conservatives have a need to relearn these lessons.”

Well, the carbon fee is right in line with Douglas Holtz-Eakin’s lessons to be learned. On June 10, I will introduce my carbon fee proposal at an event hosted by the American Enterprise Institute. I hope that once my colleagues see the details, they will take seriously the potential of a less efficient—and an economic win to climate change. For any Senator who wants to engage on this issue, I am interested. I will gladly work with any
Republican colleague. What we cannot do is stay in denial. For both our environment and our economy, and indeed our honor, we cannot afford to keep sleepwalking. It is time to wake up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

USA FREEDOM ACT

Mr. TOOMEY. Madam President, I rise today to speak on H.R. 2048, the USA FREEDOM Act. I want to put it in some context and discuss why I voted the way I did today, but first, a little background.

It has been now more than a decade since Al Qaeda launched its deadly attacks on U.S. soil that we all remember so well, killing 2,977 people in New York City, in Washington, DC, and just outside of Shanksville, PA, injuring about 2,700 more, and taking away far too many children, wives, husbands, families, and friends.

As we gather here today, we face other grave threats as well. One of the most grave threats is the threat of the Islamic State of ISIS. Secretary of Defense Ash Carter described it this way. He said ISIS is “beyond anything that we’ve seen” and constitutes an “imminent threat to every interest we have.”

We know this is a brutal group. They behead people. They crucify people. They burn people alive. They systematically kidnap young girls into slavery. They control large regions in the Middle East now. They have their sights on attacking the United States.

We know there are radicalized ISIS sympathizers and adherents here in the United States. Many of them are eager to carry out this group’s destructive ambitions right here in our own country.

We know ISIS has the resources to carry out attacks on our homeland. Al Qaeda spent about half a million dollars. That is what it cost them to plan and execute the entire attack on the World Trade Center and the Pentagon. ISIS has amassed a $2 billion fortune—4,000 times as much money as Al Qaeda spent on September 11. ISIS collects something on the order of an additional $1 million to $2 million every day through the variety of means it has because of the land it controls. So this is a very serious threat.

Like that threat, we have an obligation to protect the American people from this to the extent we can. In the process, we have an obligation to strike an appropriate balance between the national security we owe our constituents, the American people, and the robust civil liberties we ought to protect because they are enshrined in our Constitution and important to our country. In my view, section 215—the controversial part of the USA PATRIOT Act—appropriately struck that balance.

The best policy we could have pursued this week would have been to re-authorize section 215 in pretty much the form it has been in. If we had done so, we would have been repeating what we had done many times before by overwhelming bipartisan majorities I think seven previous times. In 2005, 2006, 2009, 2010, and 2011, Congress reauthorized the USA PATRIOT Act, including section 215. Congress did that because there is nothing radical about section 215 or the PATRIOT Act. This—what became a very controversial section recently—simply gave our national security officials the same kind of authority to conduct secondary investigations, to seek and obtain other tangible items when investigating a potential international terrorist attack that a grand jury has and has long had when investigating ordinary criminal events such as car theft.

It is important to note what section 215 did not authorize. It did not authorize the NSA to conduct wiretaps or listen in on any phone conversations. That has never happened. Despite that, there has been misinformation about the telephone metadata program, as it is referred to, that was conducted under section 215, so I want to discuss that a little bit.

I think one of the most important things to stress here is that this metadata program contained only information a third party had. It was not private information that an individual possessed; it was third-party information held by a telephone company. What is that information? The phone companies have always had? Is it a phone number. Is it a date and time of a call. It is the duration of a call. It is the number being called. That is it. That is the sum total of all of the information in this so-called metadata program. Because that is all the information, it was completely anonymous. Not only did it not include any context of any conversation—that was not possible. Conversations have never been recorded, so the contents have never been captured. But it could contain any identifying information with the phone numbers. There are no names, no addresses, no financial information. There is no information that would in any way identify anybody with any particular number.

So what did the government do with the metadata it had received? Well, it stored it all in a big database, on a big spreadsheet with all of those numbers. That is all it was, a lot of numbers. The government discovered a phone number from a known terrorist, when a group of special ops American forces took down a terrorist group somewhere and grabbed a cell phone, then the government could conduct a search of that metadata, but first a Federal judge would have to give permission.

After running the search to determine whether in that metadata there had been a phone call between the known terrorist and another person in that database, even after doing the search, the government still had no information identifying the phone number because that is not in the database. Of course, as I said before, certainly there was no content because content had never been recorded.

But a link might be established—and if it were to be established, if Federal investigators determined the known terrorist was in regular phone communications, for instance, with someone in the United States, then that fact could be turned over to the FBI, and the FBI could conduct an investigation, which might be a very useful investigation to have.

Well, we have had a number of officials who have told us how important this program has been, the intelligence value we have received. President Obama, himself, explained that had the section 215 metadata program been in place prior to 9/11, the government might have been able to prevent the attack. Remember, we learned afterward the risks have been as great as ever. This was a program that was designed to enable us to connect those dots.

Even the critics of this program—which, as we know, there are many—have never suggested this program was in any way abused, that any individual person had his rights violated, that there was any breach. That case has never been made, not that I have heard. Given the value of the program—as we have heard from multiple sources and the complete absence of any record of any abuse of the program, in my view, Congress should have reauthorized this program, including section 215.

But, instead, we have passed an alternative, and that is the USA FREEDOM Act. I voted against this measure today because I am concerned the USA FREEDOM Act does not provide us with the tools we need at a time when the risks have been as great as ever. Let me just mention some of these.

First, under the USA FREEDOM Act, it is entirely possible that the government may not be able to continue any metadata program at all. I say that because the bill eliminates the government from maintaining the database that we have been maintaining and instead the bill assumes that private phone companies will retain the data, and then the government will be able to access that data as needed.

But there is a problem with this assumption. The problem is the bill doesn’t require the phone companies to preserve any of this data. Under the USA FREEDOM Act, the phone companies could destroy the metadata instantaneously after a phone call occurs.

They have a regulatory obligation to keep billing information, but a lot of billing information is lost, they don’t keep a monthly charge. They have no statutory or regulatory requirement to retain the records of these calls. As currently practiced, I am not aware of any phone companies that retain this data for the 5 years our intelligence officials believe is the necessary timeframe to provide the security they would like to provide.
There is another problem, it seems to me, with the USA FREEDOM Act; that is, it is entirely possible the time period contemplated for establishing the software that will enable the government to query the many different private phone company databases—that time period will be too long, perhaps as much as seven years. We don’t know whether it is going to be long enough. We will just find out, I suppose, when the time comes. But this is a complex exercise that has to be carried out in real time, and the USA FREEDOM Act simply creates a deadline. It doesn’t ensure that we will have this in place.

A second concern I have is that the USA FREEDOM Act weakens other intelligence-gathering tools that are unrelated to any of the metadata programs which have received most of the attention.

So the USA FREEDOM Act gives intelligence officials——

The PRESIDING OFFICER. The Senator from Pennsylvania has used 10 minutes.

There is an order to recognize the Senator from South Dakota.

Mr. TOOMEY. Madam President, I ask unanimous consent for 30 seconds to write on the record.

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

Mr. TOOMEY. Madam President, I conclude by saying that we are at least at as great a risk as we have ever been, and the first priority of the Federal Government of the United States is to protect people of the United States. I am deeply concerned that the USA FREEDOM Act diminishes an important tool for providing for this security, and I hope that in the coming months we can address this bill and try to correct the many flaws it has.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

REGULATORY REFORM

Mr. ROUNDS. Madam President, I rise, for the first time speaking in this Chamber, to discuss the future of our great Nation, how truly fortunate we are to live in the greatest country in the world.

We are protected by the best military that has ever existed and that, in turn, allows us to live freely here at home, to enjoy the rights of life, liberty, and the pursuit of happiness.

In my home State of South Dakota, we cherish these rights. We have the opportunity to make our dreams come true because we have these rights and because we have a commonsense value system to guide us.

When I was elected, I promised to bring South Dakota common sense to Washington and to work to solve problems for the good of every South Dakotan and every American. But, unfortunately, we are back in the same place. I continue to hear from my fellow South Dakotans about the Federal Government infringing on these rights and values.

You see, our great Nation has been bogged down in recent years with what I believe is one of the greatest hindrances to job growth and economic productivity; that is, the overregulation of our citizens. Overregulation is not a Democratic or a Republican issue; it is an issue that every single one of us. But I believe it is a challenge we can solve through cooperation and perseverence. It doesn’t matter if you are talking about a doctor or a small business owner or a farmer. It has adversely affected every single sector of our society.

The regulatory burden on this country is nearly $2 trillion annually, and this is in addition to the tax burden already placed on our American citizens. That regulatory burden is larger than Canada’s entire economy. In fact, the cost to comply with Federal regulations is larger than the entire GDP of all but only eight other countries in the entire world.

Even more staggering, just a few years ago, we surpassed 1 million Federal regulations in America—1 million Federal regulations. Regulations are stifling economic growth and innovation. They are disproportionately affecting those in this country by crushing the can-do American spirit that founded our Nation, settled the West, won two World Wars, and put a man on the Moon—and every year more than 3,500 new Federal regulations have been added. This just does not make sense, and it certainly is not South Dakota common sense.

What alarms me is not only the volume of regulations being thrust upon our citizens but also the process for creating them. The purpose of Congress is to be the voice of the people when making laws. Unfortunately, the voice of the people in the rulemaking process has been cut out and replaced by unelected government bureaucrats who think they know better than the farmer or the scientist or the entrepreneur.

Our Founders recognized the need for making laws, granting the power to create laws to Congress and only Congress. They meant that process to be difficult so our government would not overburden citizens and restrict their freedom, freedom that those Founding Fathers had just fought so hard to obtain. Through Congress, every citizen should have a voice, but unfortunately that is not what we have today.

Our Founding Fathers created three branches of government with checks and balances for each one. They could never have imagined that we would have a regulatory process in place today where unelected bureaucrats would both write and have the final approval of the rules and regulations under which our people must live.

This regulatory regime, which is responsible for the 3,500 new rules each year, has in fact become a fourth branch of government and a de facto legislative body. The problem is exacerbated because these bureaucrats in Washington have this misperception that they know how to run our lives better than we do.

While working as a business owner, a State legislator, as well as anyone who is willing to work with me to remove these burdens that are stunting American greatness and, well, bring a little South Dakota common sense back to our regulatory environment.

The regulatory regime in America has run amok. Too often, burdensome, costly regulations are crafted by bureaucrats at the highest level of government, behind closed doors, with little input from everyday Americans whose best ideas and legislation to limit or stop or repeal or remove some of the worst regulations currently on the books. I applaud them for these efforts, many of which I also support.

I look forward to working with the senior Senator from South Dakota, my friend JOHN THUNE, as well as anyone who is willing to work with me to remove these burdens that are stunting American greatness and, well, bring a little South Dakota common sense back to our regulatory environment.

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June 2, 2015

CONGRESSIONAL RECORD — SENATE

S3449

Mr. McCONNELL. Madam President, let me say to our colleague from South Dakota how much all of us enjoyed his first major speech and also congratulate him on focusing on what I think is the single biggest problem confronting our country, creating the slow growth and the lack of economic growth we have had throughout the Obama Presidency.

The Senate from South Dakota has focused on the biggest drag on our economy, the single biggest thing holding this country back from reaching its potential, and I would say to my friend from South Dakota that he has picked the perfect subject and has laid out a good solution to it. I hope lots of colleagues on both sides of the aisle will rally around this excellent proposal as a good way forward in dealing with the single biggest domestic problem we have regarding the future growth of our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Madam President, I, too, wish to congratulate my colleague from South Dakota, Senator Rounds, because he has already been a great leader on this subject. As a successful two-term Governor and a leader in our State legislature, he was a practical, commonsense, down-to-earth Governor who just liked to get things done.
I think coming here to Washington, DC, and finding the massive bureaucracy—in some cases, dysfunction—that surrounds this city, there can be a lot of disillusionment at times for people across the country. I think the new Senator from South Dakota is going to be a great voice for the issues that we represent in South Dakota than regulatory overreach. This is evidenced on an almost daily basis as new regulations emanate from various agencies around this town that make it more difficult and more expensive for people to create jobs, more difficult for farmers and ranchers and small business people to do the things they do best, and just create a higher burden, a higher level of harm for people across the State because everything that comes out of Washington, DC, that drives up the cost of doing business in this country gets passed on to consumers in our State and all across the country.

I congratulate the Senator from South Dakota on his remarks and am grateful for his great service to our State in so many ways already and now adding to that here as a Member of the Senate, where we have big problems, big challenges, but he meets that with not only big enthusiasm but big experience. I am delighted he is here in the Senate, where he can take his skills and experience and the passion he has to bring about positive change for our country and put it to work on behalf of the people of South Dakota and the people of our country.

I look forward to working with him on the very issue he talked about today because there is probably nothing right now that has a greater economic impact and creates more economic harm for the people we represent in South Dakota than regulatory overreach.

This is evidenced on an almost daily basis as new regulations emanate from various agencies around this town that make it more difficult and more expensive for people to create jobs, more difficult for farmers and ranchers and small business people to do the things they do best, and just create a higher burden, a higher level of harm for people across the State because everything that comes out of Washington, DC, that drives up the cost of doing business in this country gets passed on to consumers in our State and all across the country.

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So it is nice to know we have someone who is so committed to the goals of this committee to be singing this out in a maiden speech as his greatest concern. I appreciate that as the chairman of that committee, and we are going to do wonderful things together for South Dakota, Oklahoma, and America. Thank you.

Mr. INHOFE. Madam President, let me observe that after hearing all the Senator from South Dakota said and what his goals are, he sure chose the right committee, the committee I chair, the Environment and Public Works Committee. That is what we talk about. That is what we do.

I think being in South Dakota before the election, and as I walked around in South Dakota and looked around, I thought, I could just as well be in Oklahoma. While I was there, I talked to the farm bureau people there, and they said it is the regulations. That is a farm State. Oklahoma is a farm State, and we understand that.

Of the two regulations they have and the problems they have, they say the EPA overregulates and causes the greatest problems. They singled one out—endangered species. They singled another one out—the waters of the United States. Currently, we are doing legislation in the United States Senate, the environment and public works Committee, and it is legislation that is going to get that burden off of the people from South Dakota and Oklahoma. Right now, we are considering the most expensive of all the regulations, which is the ozone regulations. It would constitute the greatest single increase in expenditures or taxes of anything in the history of this country.

So I yield the floor.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. TILLIS). Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak in morning business for up to 15 minutes.

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

Drought and Wildfires

Mr. WYDEN. Mr. President, this afternoon I wish to call attention to the severe drought and wildfires that are already burning in my home State of Oregon and across the West.

Earlier today, the Energy and Natural Resources Committee, on which I serve, held a hearing on drought. There is no question that communities in many of our Western States are experiencing very uncertain times. Our farmers are concerned about water for their crops. Outdoormen and business owners fear low reservoir and river levels are going to ruin the summer season. Conservationists worry about a lack of cold water for fish habitats.

Drought and fire are a dangerous combination and create a trend continuing this year. Fire seasons have gotten drier. The fires have gotten hotter, and they have become far more expensive to fight. And severe drought is on the watersheds. We ought to make no mistake about what is going on in the West. The West is now bone dry, and the tragic fact is that this is the new normal for Oregon farmers and ranchers. Water is an increasingly scarce and precious resource.

Right now, every last square mile of Oregon is experiencing abnormally dry to very much drier conditions. And almost all of my State is under severe drought. Fifteen of Oregon’s 36 counties have declared drought emergencies or have been declared a drought emergency by the Governor. The unusually warm winter in my home State meant record low snowpack, which dried up summer runoff, which is so important to Oregon’s water supply.

Drought raises enormous issues for communities and State and Federal agencies. They have to find ways to cope while using less water. Authorities feel they are in a position, or are forced into a position, to have to make seemingly impossible choices about where to dedicate increasingly scarce resources. All of these rural communities feel they are in a position, or are forced into a position, to have to make seemingly impossible choices about where to dedicate increasingly scarce resources.

Drought conditions mean that western forests and grasslands are especially likely to go up in flames. It means that more acres will burn and more people and more structures will be at risk, and more funds are going to be needed to put the fires out.

Fire season this year has started earlier than normal. In fact, I received a fire briefing at home in March. That is the earliest I have had a fire briefing in all of my time in Congress. It certainly bodes badly for the extra costs that we are likely to see. I recently got a letter from the Forest Service with the estimate of anticipated wildfire suppression costs for fiscal year 2015. The middle-of-the-road estimate for how much it will cost to fight wildfires is nearly $1.25 billion. On the high end, it could cost more than $1.6 billion. But the funding, however, that has been dedicated to fighting fires does not come close—not close—to covering those costs. The appropriated amount is $200 million less than even the most conservative median forecast. Wishful thinking in the budget is not going to be very useful in putting the fires out.

Fighting fires costs money, and it can’t be punished into the future like some minor budget line item. Once again, then, we are looking at the prospect of the Forest Service having to raid other accounts in order to put out the blazes.

According to the Forest Service, in 2013, $40 million was essentially stolen from the National Forest Fund, which would pay for the stewardship and management of the 183 million acres of national forests and grasslands. And $30 million was stolen from the account that funds the disposal of brush and other debris from timber operations. This brush and debris is essentially fuel for future fires.

These figures represent the stark reality that the broken funding system in place is shortchanging the resources needed for sensibly fighting wildfires.
The cycle of stealing money from prevention accounts to pay for suppression of forest fires just repeats itself again and again without end, and it will continue until this funding problem is finally fixed.

Senator CRAPO, our colleague from Idaho, and I have been working on a bipartisan basis to fix this flawed policy for quite some time now. He and I introduced the Wildfire Disaster Funding Act to end this damaging cycle, which I have described and which in the West we call fire borrowing. Our bill would raise the Federal disaster cap to allow the agencies to treat wildfire-fighting efforts like other natural disasters because wildfires are natural disasters, destructive and costly, no different than hurricanes, floods, and tornadoes.

When our governmental agencies are forced to borrow from other accounts to fight fires that have bankrupted these accounts for fire suppression, they rob from the funds that are needed to protect hazardous fuels in the forests, which leads to even more choked and overstocked forests ripe for future fires.

In effect, what happens is the prevention funds—the funds for thinning, clearing out all of that debris—get shorted. So then you might have a lightning strike or something in our part of the world and you have an inferno on your hands. The government, in effect, borrows from the prevention fund to put the fire out, and the problem just gets worse and worse. It is that problem that Senator CRAPO and I are trying to fix.

On a bipartisan basis, we seek to give the agencies the tools they need to support the courageous firefighters on the ground, men and women who put their lives at risk to ensure that Americans, their homes and communities are protected from destructive wildfires.

I know there are other Members of the Senate very interested in solving the fire-borrowing problem. I encourage all those Members to work with us, Senator CRAPO, and our staff to find a solution that is acceptable to Congress and can be passed soon.

This is an urgent matter. This is not something you can sort of let go and offer the amendment to the amendment, the kind of thing that happens here, and it just gets shunted off for years on end. This is urgent because the West has to be in a position to clear these hazardous fuels and get out in front of these increasingly dangerous and ominous fires. We have to end—we have to end this cycle of catastrophic wildfires in the West. It is long past time for action. I urge you to join Senator CRAPO and I to work with us and our staff so this body moves, and moves quickly, to fix this problem.

There is an awful lot of uncertainty when it comes to calculating the Federal budget, but what we do know for sure—is that this problem of wildfires in the West is getting increasingly serious. The fires are bigger, the fires are hotter, and they last longer. It is time to budget for reducing this problem in a sensible way.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

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

GEORGE SCHENK, CELEBRATING 30 YEARS OF FLATBREAD

Mr. LEAHY. Mr. President, I wish to recognize George Schenk, founder of one of Vermont’s most beloved restaurants, American Flatbread. Thirty years ago, American Flatbread was built from the ground up, driven by George’s own enthusiasm, innovation, and drive. He baked his first pizza—flatbread as he prefers to call it—in a wood-fired stone oven of his own design. Today, American Flatbread still bakes its creations in the same stone ovens.

George started with a vision where his food was not just great tasting and nutritional, but also nurturing and healing the soul. He accomplished that and so much more. Anyone who has sat down at American Flatbread after a long day hiking, skating or even just to visit understands the satisfaction of eating at George’s restaurant. He and his staff maintain a commitment to the core values of the integrity of a meal, using organic and locally sourced ingredients, including those grown in a greenhouse next door. George cultivates these ingredients to deliver on his promise of “good, flavorful, nutritious food that gives both joy and health.”

American Flatbread also reflects the best of Vermont’s community traditions—caring for one another. Food is often given to help local hospitals and families in need, and those same citizens give back when they can. Like many Vermont towns, Waitsfield was devastated by Tropical Storm Irene, and among the damaged businesses was American Flatbread. Despite the damage, they were able to reopen in just a few short days thanks to the work of hundreds of local volunteers in both their time and in donations.

Since the fire was lit in that first stone oven, George has stayed true to his vision of a sustainable and community-oriented business, one that has flourished while calling Vermont its home. In honor of American Flatbread turning 30, I ask unanimous consent to have printed in the RECORD Sally Polkak’s story from the May 28, 2015, edition of the Burlington Free Press.

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

[From the Burlington Free Press, May 28, 2015]

AMERICAN FLATBREAD TURNS 30, THROWS COMMUNITY PARTY

WAITSFIELD.—Thirty years ago in his side yard in Warren, George Schenk baked a pizza in his wood-fired field stone oven. The toppings were simple: olive oil, garlic, Parmesan and herbs from his garden. “I didn’t know if it would stick to the rock,” Schenk said. “I didn’t know if it was going to bake. The oven had no door.” Couples who were strolling out drinking wine shared that pizza, or flatbread in Schenk vernacular.

Their response was like a wave at a football stadium on a sunny Sunday. Schenk said. Smiles moved from face to face.

“We just thought it was great,” said Lyndon Virkler, dean of education at New England Culinary Institute, who was one of the original flatbread eaters. “Because of the nice hot rock it had a nice, crisp crust. And real simple, pure flavors.”

What was meant to be a side dish became the “highlight of the evening.” Virkler said. He had met Schenk—a ski bum—five years earlier in the kitchen at Sam Ruper’s, a Warren restaurant. Virkler’s job was to bake and Schenk was a salad maker with creativity and drive, Virkler said.

“We’re often reflective on our place in history,” Virkler said. “My wife and I being able to sample the first flatbread.”

Schenk knew that night 30 years ago he had started something that people really enjoyed eating. Beyond that, he found something that was gratifying to make: from building the oven to splitting wood and making fire to kneading the dough. “I was looking for a professional cooking opportunity that felt right,” Schenk said. “Not necessarily being on a line behind closed doors.”

Schenk’s pizza—American Flatbread—has been around ever since: never behind closed doors and often outside. It started once a week at Tucker Hill Inn before Schenk opened American Flatbread at Lareau Farm in Waitsfield in 1992. That restaurant spawned a dozen American Flatbreads in New England, one in Hawaii and one in British Columbia.

American Flatbread will be available to all next Saturday, when it celebrates 30 years of flatbread with free pizza and salad at his Waitsfield restaurant. Bigger than the birthday party, the event is to recognize community members and their communities in a variety of ways, he said.

“It’s the whole range of human experience,” Schenk said, listing the spheres of people and organizations he intends to honor: religious, local government, volunteer fire and ambulance personnel, people who serve seniors and the ill and injured, those who are involved in the arts and work to protect the environment.

“Here in this small valley there are 54 registered nonprofits,” Schenk said. “Whenever he spoke of the help his business received over the years—first in 1988 and 2001—the community rallied to support his business. In 2006, the fire department razed a building to make more money.”

Schenk said. “People donated trucked, cleaned firewood, mucked out the basement and donated firewood. That’s what help, this little business would have failed.”

Money also was donated, including a $25,000 interest-free loan. “People get really involved when they don’t care about money,” Schenk said. But this loan was without that kind of attitude. The check came with a post-it note that read: “Thinking of you.”

When Schenk repaid an installment of $1,000, the check was returned uncashed, he said.
“In various iterations that story repeated itself over and over,” Schenk said. “With acts of profound kindness, at a time of need and loss.”

The celebration next Saturday is to do something ‘nice,’ Schenk said—choosing with care a word an English teacher advised him long ago to stay away from.

Words matter to Schenk. Over the years they have achieved a place of importance in his business.

The restaurant in Waitsfield has gardens that supply the flatbreads and salad, a campfire on the stone patio, and banners printed with Schenk’s writings on food, family, community, philosophy, and social issues.

His compositions, which he calls “dedications,” appear in the menus at American Flatbread. Schenk has written more than 1,600 over the past 28 years.

“I have often felt as though if I didn’t write, the flatbread wasn’t complete, it wasn’t as good,” Schenk said. “Maybe in truth, I was not as good or complete. It provided an internal discipline that I needed.”

In his semi-retirement, Schenk, 62, is reading through the archive of his dedications with plans to publish them in a book.

Reading through his dedications, the ones that emerge as most meaningful to him are about the time he spent raising his two children, now grown, Schenk said.

“I’m acutely aware that those days and events are past and will never come again,” Schenk said. “The dedications captured something about their childhoods and my experiences that I wouldn’t otherwise have.”

A dedication titled “The Family Bed” is on the porch at American Flatbread.

It reads in part:

“...we’re looking for in our lives.”

“...I got caught up in someone else’s dream. As I grew, I came to realize that it wasn’t my dream.’’

Schenk dreams in the dirt these days, a place he says is teeming with activity.

“...stable that are more complex tend to...”

Schenk dreams in the dirt these days, a place where he says is teeming with activity.

“...Systems that are more complex tend to...”

TRIBUTE TO LAURA PECHAITIS

Mr. BROWN. Mr. President, I rise today to honor the career of Laura Pechaitis, a military veteran, who has made a profound difference in the lives of thousands of Ohioans. For 13 years, I have been honored to have Laura on my staff, where she has helped veterans dealing with problems large and small. She worked on the Selective Service System that is, not the NBA draft. Her efforts on assisting Ohio’s veterans. Since 2006, Laura helped coordinate more than 10,000 cases for veterans and Active-Duty members of the armed services. She brought the same energy and empathy to each one. Laura has been a champion of veterans in Ohio, and she writes to help them relearn in college and went so far as to put him in touch with a mentor at a local university to make sure he went back to school.

Her drive for public service, however, went beyond veterans. In fact, long before he became the star of the Cleveland Cavaliers, a young LeBron James used to come into my Akron office to spend time with a friend whose mother worked for me. During one of these visits, Laura helped LeBron James register for the draft—the Selective Service draft that is, not the NBA draft.

Since 2006, Laura helped coordinate more than 10,000 cases for veterans and Active-Duty members of the armed services. She brought the same energy and empathy to each one. Laura has been a champion of veterans in Ohio, and the breadth of her impact is remarkable. She has been a model public servant, and I am proud to have worked with her.

Our actions in Congress are closely watched, but what too often goes unnoticed is the work of dedicated staff members whose only goal is to serve those we are elected to represent. I ask that my colleagues join me in thanking Laura Pechaitis for her service to our Nation.

VOTE EXPLANATION

Mr. MENENDEZ. Mr. President, I was unavoidably detained for rollcall vote No. 196 on cloture on the motion to proceed to H.R. 2048. Had I been present, I would have voted yea.
ADDITIONAL STATEMENTS

RECOGNIZING O'KEEFE FUNERAL HOMES

- Mr. COCHRAN. Mr. President, I wish to recognize O’Keeffe Funeral Homes of Biloxi, MS, on the occasion of their 150 years of service to residents of the Mississippi gulf coast. Since its inception in 1895, O’Keeffe Funeral Homes has grown to include six locations throughout South Mississippi.

In addition to meeting the needs of the bereaved for generations, the O’Keeffe family has been pivotal to the growth, support, and success of other economic and cultural enterprises across South Mississippi, assisting with the formation of the Walter Anderson Museum and the Ohr-O’Keeffe Museum.

This sesquicentennial anniversary of O’Keeffe Funeral Homes represents a great milestone for all coast communities and businesses as it is not only one of the oldest recurring businesses in Mississippi but has also survived and thrived in the face of many of our Nation’s most devastating natural disasters.

Six generations of O’Keefes have served South Mississippi with grace and valor. The O’Keeffe’s service has added value to economic sustainability while providing a better way of life for gulf coast residents and businesses.

I am pleased to recognize the O’Keeffe family for their 150 years of exemplary service and ongoing devotion to the Mississippi gulf coast.

REMEMBERING AMMALINE HELEN HOWARD

- Mr. MANCHIN. Mr. President, I wish to honor Ammaline Helen “Amy” Howard, a beloved member of the Charleston, WV community.

The Howard family is a great, well-respected family in my beautiful State and I hope to call the members of this family my dear friends. I had the privilege of meeting Amy, who was affectionately known by so many as Aunt Amy, many times. She was always humble, welcoming, and supportive. She was a pillar in the Howard family, standing strong on values with a captivating yet calming spirit. Her nieces and nephews knew if their parents told them “no” to something, that they could go to Aunt Amy and she would find a way to help them out.

Put simply, individuals like Amy stand out. She was the epitome of what West Virginians are all about, with her welcoming nature and unwavering commitment to help those in need. Amy would welcome her neighbors as friends and her friends as family. She instilled this same loyal community service mindset throughout her family. She leaves behind her loving brother Victor, sister-in-law Elaine, and many nieces, nephews, great-nieces, and great-nephews.

She was a second mother to many, and truly brought the whole family together. She made sure a hot meal was ready every evening, and if she saw you, she made sure you were invited to dinner that night.

A native of Charleston, Amy graduated from Charleston High School in 1933 and moved back to her hometown in many ways. She began working at the Naval Ordinance and Armor Plant in South Charleston before joining her brother in his successful grocery business, Sabe Howard’s Market. She then worked for many years as a loyal employee of the Clerk’s Office before her retirement in 1974.

Among her many roles, she was a member of the Charleston Hightop Club and the West Virginia Woman’s American Syrian League. Amy also supported the West Virginia Symphony League and the St. Jude Hospital because she was passionate about investing her time and efforts to helping others in any way that she could.

She was a lifelong member of St. George Orthodox Cathedral and was also a member of the Order of St. Ignatius of Antioch and the St. George Ladies Guild, serving as an officer. Amy was fiercely committed to her church family, always willing to lend a helping hand or prepare food for church functions. Every year at the annual dinner she would help prepare food and make sure there were plenty of her legendary cabbage rolls.

Aunt Amy was a model for the ages. She understood what really mattered in life and I enjoyed chatting with her about the jewels in the treasure box of life—family, faith, community, and service. She believed that staying active was the key to living a long, happy life. Amy loved to walk and visit the mall to get her favorite coffee and biscuits, and remained active until her late 90s.

I recall one time being invited to Aunt Amy’s basement kitchen where the heat was really taken out of the house. Amy would fill her kitchen with refrigerators, microwaves, and every cooking utensil you can think of. Not many people were invited down to her kitchen, so I knew I was really taken in as part of the family. She truly had that effect on people—it was a second home, and you were considered family. And family comes first.

Amy was a beloved aunt, friend, and inspiration to the Charleston community. Her glowing smile and positive attitude were contagious and will live on in the memories and hearts of all those who had the privilege of knowing her. Amy’s service was greatly appreciated and will certainly never be forgotten.

RECOGNIZING STANFORD OVSHINSKY

- Mr. PETERS. Mr. President, I wish to recognize Mr. Stanford Ovshinsky, on the occasion of his induction into the National Inventors Hall of Fame. Mr. Ovshinsky, the eldest son of working-class Jewish parents in Akron, OH, displayed an early conviction to improving the lives of all Americans. This conviction inspired a lifelong dedication to advancing labor rights, civil rights, and civil liberties. Despite no formal education after receiving his high school diploma, he became one of the 20th century’s most prolific inventors. His vision and concern for the greater good led to over 400 patents, including major contributions to flexible solar panels, computer memory, flat-screen TV displays, and the development of the nickel-metal hydride battery.

Mr. Ovshinsky’s belief in the ability of science and technology to advance environmental stewardship and quality of life was rooted in his experience as a member of the Workmen’s Circle, a Jewish fraternal organization committed to community, an enlightened Jewish culture, and social justice since it was established in 1900. The Workmen’s Circle inspired Mr. Ovshinsky to pursue science and advanced technology dedicated to heightening economic opportunity and improving people’s relationship with the environment around the world. After starting his career as a toolmaker in Akron, Mr. Ovshinsky moved to Detroit in 1952, where he was director of research at the Hupp Corporation and established General Automation with his younger brother, Herb Ovshinsky.

At General Automation, Mr. Ovshinsky continued research on intelligent machines, as well as early work on various information and energy technologies. He was invited by Wayne State University to conduct research at the university’s neuroscience lab, where he discovered the connection between the amorphous structure of brain cells and amorphous glassy materials. This discovery encouraged Mr. Ovshinsky and his brother to construct the Ovtron, a mechanical model of human neural tissue consisting of layered amorphous material, creating the first nanostructure, and establishing the foundation of his research for decades.

Following his experience at General Automation, Mr. Ovshinsky founded Energy Conversion Devices in 1960 with Iris Dibner, who would become his wife and partner for over 50 years. It was at Energy Conversion Devices that he established Ovonics—the process of turning ordinary, thin film transistors with the application of low voltage—and developed new electronic and optical switches, including Ovonic Phase Change Memory and the Threshold Switch. These became the basis for the invention of rewritable CDs and DVDs, as well as the cognitive computer. Mr. Ovshinsky’s work also revolutionized the construction of solar panels and resulted in the nickel-metal hydride battery, which became an important power source for electric vehicles, consumer electronics, industrial equipment, and telecommunications.

Time Magazine celebrated Mr. Ovshinsky as a “Hero for the Planet”
in 1991. In 2006, The Economist recognized him as the "Edison of our age." At the time of his death in 2012, he was credited on more than 300 publications and had received over 20 major awards and honorary degrees. Throughout his life, Ovshinsky displayed as much vigor for fighting for justice outside his laboratory as within. His efforts contributed to the introduction of affordable housing in his affluent neighborhood in Birmingham, MI, and he was a member of the Mechanist's Union, as well as an early supporter of Walter P. Reuther and the United Auto Workers. It is an honor to recognize someone whose work not only helped usher the world into the modern age, but was also based in a belief that each of us has a responsibility to serve our community and leave the world a better place for generations to come.

RECOGNIZING THE 125TH STEVENS FAMILY REUNION

Mr. WYDEN. Mr. President, I would like to recognize and honor an exemplary Oregonian family who will soon gather for their 125th family reunion. Family reunions are difficult to organize and even harder to make longlasting traditions. Nonetheless, since 1891 the children of Hanson and Lavina Stevens have managed to hold yearly family reunions, with the exception of one missed reunion during the First World War—truly an amazing feat.

In many ways, the history of the Stevens family is the history of the State of Oregon. In 1852, the Stevens family decided to take advantage of the Donation Land Claim Act of 1850, which encouraged settlement of the Oregon Territory. Hanson and Lavina Stevens, their eight children and a wagon loaded with vital supplies traveled the treacherous Oregon Trail. Twenty-two other wagons traveled alongside the Stevens family and undertaken by their neighbors on the dangerous migration year recorded. While all of the other families decided to stop near Fort Bridger, WY, in search of gold, Hanson Stevens continued with his family toward the Promised Land. They chose the "Promised Land." Ever since, the Stevens and their descendants have contributed to the territory and then the State of Oregon.

In June of 1891, the entire family gathered for the birthday of the family patriarch at the time, Isaac Stevens. That tradition continued on each year, and eventually turned from a birthday party into a more formal family reunion.

Today the Stevens decedents are six clans strong, and they rotate the responsibility for hosting their memorable reunions. This year the Ringo Clan will be hosting the 125th reunion on July 19, 2015 at Champoe Park in St. Paul, OR.

The family tells me that each year the various clans all give a report to the family, and the details are recorded in a leather-bound journal. As you can imagine, this journal traces not just the history of the Stevens family but also provides a view into the history of Oregon and its people.

And that is part of what makes family reunions so wonderful. They don't just connect us to the aunts, uncles and cousins we don't see very often; they also connect us to our past, our heritage. Family reunions are a place to share family lore, shared values, and traditions.

I am thrilled to recognize the Stevens family 125th annual reunion. I hope to see the Stevens family tradition continue for many, many years to come.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

The messages received today are printed at the end of the Senate proceedings.

MESSAGE FROM THE HOUSE

At 2:32 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 802. An act to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 336. An act to direct the Administrator of General Services, on behalf of the Department of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska; to the Committee on Homeland Security and Governmental Affairs.

H.R. 404. An act to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska; to the Committee on Energy and Natural Resources.

H.R. 533. An act to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes; to the Committee on Indian Affairs.

H.R. 944. An act to reauthorize the National Estuary Program, and for other purposes; to the Committee on Environment and Public Works.

H.R. 979. An act to designate a mountain in the John Muir Wilderness of the Sierra National Forest as "Sky Point"; to the Committee on Energy and Natural Resources.

H.R. 1335. An act to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1403. An act to protect and preserve international cultural property at risk due to political instability, armed conflict, or natural or other disasters, and for other purposes; to the Committee on Foreign Relations.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1752. A communication from the Acting Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Approval Threshold for Time-and-Materials and Labor-Hour Contracts ((RIN0750–A36) (PARS Case 2014–D020)) received during adjournment of the Senate in the Office of the President of the
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Senate on May 26, 2015; to the Committee on Armed Services.

EC–1753. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Steven A. Hummer, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1754. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Nanette M. DeRenzii, United States Navy, and her advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–1755. A communication from the Acting Director of the Federal Home Loan Bank Community Support Program—Administrative Amendments (RIN2590–AA38) (DFARS Case 2014–D024)) received during adjournment of the Senate on May 26, 2015; to the Committee on Armed Services.

EC–1756. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Metconazole; Pesticide Tolerances” (FRL No. 9927–11) received during adjournment of the Senate on May 27, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1757. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Metconazole; Pesticide Tolerances” (FRL No. 9927–75) received during adjournment of the Senate on May 27, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1758. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled “Federal Home Loan Bank Community Support Program—Administrative Amendments” (RIN2590–AA38) received in the Office of the President of the Senate on May 27, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–1759. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Emergency Provisions: Fiscal Year (FY) 2014”; to the Committee on Banking, Housing, and Urban Affairs.

EC–1760. A communication from the Chair, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Tribal Equal Access to Voting Act of 2015”; to the Committee on Indian Affairs.

EC–1761. A communication from the Chair, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Interim Staff Guidance on the Former Hanford Nuclear Reprocessing Site” (FRL No. 9928–42) received during adjournment of the Senate on May 27, 2015; to the Committee on Environment and Public Works.

EC–1762. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Completion of Requirement to Promulgate Standards” (RIN2060–AS42) (FRL No. 9928–25–OAR)) received during adjournment of the Senate on May 27, 2015; to the Committee on Environment and Public Works.

EC–1763. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementation Plans: Alaska” (FRL No. 9929–17–Region 10) received in the Office of the President of the Senate on May 22, 2015; to the Committee on Environment and Public Works.

EC–1764. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “State Implementation Plans: Response to Petition for Rulemaking: Restatement and Updated of EPA’s SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls to Amend Provisions Applying to Excess Emissions During Period of Startup, Shutdown and Malfunction” (RIN 9929–05–OAR) received in the Office of the President of the Senate on May 22, 2015; to the Committee on Environment and Public Works.

EC–1765. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementation Plans: New York: Infrastructure SIP for the 2008 Lead NAAQS” (FRL No. 9929–17–Region 10) received in the Office of the President of the Senate on May 22, 2015; to the Committee on Environment and Public Works.

EC–1766. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans: Maryland; Determination of Attainment of the 2008 8-Hour Ozone National Ambient Air Quality Standard for the Baltimore, Maryland Moderate Nonattainment Area” (RIN 9929–17–Region 10) received in the Office of the President of the Senate on May 22, 2015; to the Committee on Environment and Public Works.

EC–1767. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, the report entitled “Report to Congress on Abnormal Occurrences: Fiscal Year (FY) 2014”; to the Committee on Environment and Public Works.

EC–1768. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Interim Staff Guidance on the Former Hanford Nuclear Reprocessing Site” (FRL No. 9928–42) received during adjournment of the Senate on May 27, 2015; to the Committee on Environment and Public Works.

EC–1769. A communication from the Assistant Secretary for Nuclear Management, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Interim Staff Guidance on the Former Hanford Nuclear Reprocessing Site” (FRL No. 9928–42) received during adjournment of the Senate on May 27, 2015; to the Committee on Environment and Public Works.

EC–1770. A communication from the Assistant Secretary for Nuclear Management, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Amendments to the International Traffic in Arms Regulations: Policy on Exports to the Republic of Fiji” (RIN4100–AD77) received during adjournment of the Senate on May 27, 2015; to the Committee on Foreign Relations.

EC–1771. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled “Benefits Payable in Terminated Single- Employer Plans; Interest Assumptions for Paying Benefits” (29 CFR Part 2560.503–1) received in the Office of the President of the Senate on May 22, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–1772. A communication from the Director, Directorate of Construction, Occupa- tional Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled “Confined Spaces in Construction” (RIN1326–AB47) received in the Office of the President of the Senate on May 22, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–1773. A communication from the Chair of the Securities and Exchange Commission, transmitting, pursuant to law, the annual Report of the Inspector General and a Management Report for the period from October 1, 2014 through March 31, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–1774. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to U.S. Marine Corps Training Exercises at Brant Island Bombing Target and Piney Island Bombing Range, USMC Cherry Point Range Complex, North Carolina” (RIN0648–BD79) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2015; to the Committee on Commerce, Science, and Transportation.

EC–1775. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a report of proposed legislation entitled “Tribal Equal Access to Voting Act of 2015”; to the Committee on Indian Affairs.

EC–1776. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report on the activities of the Committee on Foreign Relations, Senate, for Fiscal Year 2014; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SHELBY, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 1484. An original bill to improve accountability and transparency in the United States financial regulatory system, protect against fraud, ensure that financial markets provide sensible relief to financial institutions, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. MARKNEY (for himself, Mr. SCHATZ, Mr. BLUMENTHAL, Ms. WARREN, Mr. SCHUMER, Mr. DURBIN, Mr.
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S. 1473. A bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKSY (for himself and Ms. WARREN):
S. 1474. A bill to provide for the development of new technologies to define and identify all hand guns manufactured or sold in the United States, to incorporate such technology, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BARRASSO (for himself and Mr. CRAY):
S. 1475. A bill to provide for the creation of a safe harbor for defendants in medical malpractice actions who demonstrate adherence to clinical practice guidelines; to the Committee on the Judiciary.

By Mrs. BOXER (for herself and Mr. BOOKER):
S. 1476. A bill to require States to report to the Attorney General certain information regarding shooting incidents involving law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Mr. ROUNDS:
S. 1477. A bill to require a report on the future mix of aircraft platforms for the Armed Forces; to the Committee on Armed Services.

By Mr. ROUND:
S. 1478. A bill to require the Secretary of Defense to develop a comprehensive plan to support civil authorities in response to cyber attacks by foreign powers, and for other purposes; to the Committee on Armed Services.

By Mr. INHOFE (for himself, Mr. MARKSY, Mr. ROUNDS, Mrs. BOXER, Mr. CRAPO, and Mr. BOOKER):
S. 1479. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BENNET:
S. 1480. A bill to provide limits on bundling, to reform the lobbying registration process, and for other purposes; to the Committee on Rules and Administration.

By Mr. DURBIN (for himself and Mr. WYDEN):
S. 1481. A bill to direct the Administrator of the Federal Emergency Management Agency to enter into an agreement with the National Academy of Sciences to conduct a study on urban flooding, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRASSLEY (for himself, Mr. LEAHY, and Mr. LEE):
S. 1482. A bill to improve and reauthorize provisions relating to the application of the antitrust laws to the need-based educational aid; to the Committee on the Judiciary.

By Mr. ALEXANDER:
S. 1483. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating the James K. Polk Home in Columbia, Tennessee, as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SULLIVAN:
S. 1484. An original bill to improve accountability and transparency in the United States financial regulatory system, protect access to credit for consumers, provide sensible relief to financial institutions, and for other purposes; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Ms. BALDWIN:
S. 1485. A bill to provide for the advancement of energy-water efficiency research, development, and deployment activities; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself, Mr. BROWN, Mr. RHEED, Ms. WARREN, Mr. SANDERS, and Ms. BALDWIN):
S. 1486. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to Patriot employers, and for other purposes; to the Committee on Finance.

ADDITIONAL COSPONSORS
S. 1487.

At the request of Mr. Murphy, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 514, a bill to amend the Employee Retirement Income Security Act of 1974 to establish the Promise Neighborhoods program.

S. 1488.

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 669, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 1489.

At the request of Mr. GRASSLEY, the name of the Senator from Missouri (Mr. BUCY) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 1490.

At the request of Mr. REED, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 1491.

At the request of Mr. VITTER, the names of the Senator from Montana (Mr. DAINES) and the Senator from Alabama (Ms. SESSIONS) were added as cosponsors of S. 798, a bill to provide for notice to, and input by, State insurance commissioners when requiring an insurance company to serve as a source of financial strength or when the Federal Deposit Insurance Corporation places a lien against an insurance company’s assets, and for other purposes.

S. 1492.

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. PETERS) was added as a cosponsor of S. 1121, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1493.

At the request of Mr. BARRASSO, the names of the Senator from North Carolina (Mr. TILLIS), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Montana (Mr. DAINES), the Senator from Indiana (Mr. COATS), the Senator from Texas (Mr. CORNYN) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 1140, a bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term “waters of the United States”, and for other purposes.
Mr. BOOKER. Mr. President, I am proud to join with Senator BOXER to introduce the Police Reporting of Information, Data, and Evidence Act of 2015, PRIDE Act, a critical data collection bill designed to advance public understanding of police-community relations and foster mutual trust and respect. I thank Senator BOXER for her leadership on this issue.

A critical issue in our Nation today is the issue of trust between law enforcement and the communities they serve. Tragic events across the country—in New York, Ferguson, North Charleston, Baltimore, and subsequent protests—remind us how critical trust is to the fabric of a democracy. These incidents raised the public’s awareness and sparked a national debate about how police and citizens interact and how they should interact. But the issue is not unique now. The Kerner Commission’s 1968 report on urban violence declared that minorities believed a “doubled standard” of justice had existed for whites and blacks. Sadly, that distrust continues today. It is contrary to who we are and what we stand for.

Our Nation was founded on shared and timeless values. Liberty and justice for all. Equal justice under law. The former was enshrined in our founding charter. The latter was written on the marble of Supreme Court. But when any American feels that they have not been treated fairly, we undermine those values. That makes the issue of police and community relations a problem for all of us—not just a specific city or a specific race. It is a problem for the Nation as a whole. We must do all we can to restore justice to our criminal justice system. That includes tracking when officers use deadly or serious force against people in the community.

We must ensure that police officers feel respected and honored. Each day, law enforcement officers put their lives on the line to keep our communities safe. They deserve our respect. They should not feel attacked or undervalued. They routinely make split-second decisions every day that do not escalate into uses of force. As the senseless killings of NYPD Officers Rafael Ramos and Wenjian Liu remind us, officers often serve the public at considerable personal risk. We should provide them with the tools they need to do their jobs effectively and safely. That includes tracking the uses of force by civilians against our men and women in uniform.

To bridge the wide trust gap between law enforcement and citizens, we must shine a light on the problem. The first step to solve any problem is to be honest about the facts. We need objective data. We need to study trends. We need to examine the evidence. That is why I am encouraged by the words of former Democratic Senator James Carville, who said, “We simply must find ways to see each other more clearly. Part of that has to involve collecting and sharing better
information about encounters between police and citizens, especially violent encounters.”

For too long, the way we have collected information and data from States and local governments on violent or deadly encounters between law enforcement and civilians has been inconsistent. Under current law, demographic data regarding officer-involved shootings is inconsistently reported to the FBI under the Uniform Crime Reporting Program. According to a study by the Department of Justice, Post this happened since 2011, less than three percent of the Nation’s 18,000 State and local police agencies reported fatal shootings by their officers to the FBI. That is unacceptable. Incomplete and unreliable reporting makes it tougher to get a true scope of the problem and more difficult to obtain a policy solution.

The PRIDE Act would fix that problem and increase accountability for law enforcement by creating a comprehensive national data collection program. It would require law enforcement at the State, local, and tribal levels to report to the Attorney General on police-involved shootings and any incident in which use of force results in a death and an officer or civilian results in serious injury or death. By making the voluntary reporting of uses of force by, and against, police officers mandatory, we ensure that more accountability and transparency will exist between the police and the citizens they protect.

I have worked closely with Senator BOXER on crafting this legislation, and appreciate my friend and colleague welcoming several recommendations to strengthen the bill, including clarifications that use-of-force policies for law enforcement officers be made publicly available. I believe this change would promote transparency. It shines a spotlight on the shootings and use of force involving police and civilians, which in turn enhances public confidence in our justice system.

I also appreciate that the bill includes grant funds for public awareness campaigns designed to gain information from the public on uses of force against police officers. This was a recommendation drawn from being a former mayor. I have seen first-hand how helpful tip lines, hotlines, and public service announcements can be in helping law enforcement capture dangerous people. When someone uses violence against our men and women in uniform, we must respond quickly. That means we should do all that we can to ensure that information on the suspect gets out to the public in a timely manner. That way, the offender can promptly be caught and brought to justice.

Lastly, I recommended the bill include grant funds for use of force training for law enforcement agencies and personnel, including de-escalation training. Officers deserve to receive the best and most up to date training we can offer. They must feel confident that they are trained to use force in a way that allows them to safely come home to their families. Equally, the public deserves to have confidence that when an officer uses force he or she does so appropriately. That means training on use of force is a last resort and officers know how to de-escalate a situation to avoid using force at all.

Many of the bill’s provisions were recommendations from the President’s Task Force on 21st Century Policing. It put forth a series of recommendations aimed at rebuilding trust between the law enforcement officers and the communities they protect. Its recommendations included use of force data collection, de-escalation training, transparency, and officer safety measures. I am glad that many of the task force recommendations were included in this bill.

It is time we address the plague of shootings of police officers in our country. We must come together to ensure that we do see each other clearly and restore public confidence in our system of justice. The first step is to shine a light on the problem and collect accurate data. I thank Senator BOXER again for her leadership, and I urge my colleagues to support the PRIDE Act and work towards its speedy passage.

By Mr. DURBIN (for himself and Mr. WHITEHOUSE):

S. 1481. A bill to direct the Administrator of the Federal Emergency Management Agency to enter into an agreement with the National Academy of Sciences to conduct a study on urban flooding, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1481

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. This Act may be cited as the “Urban Flooding Awareness Act of 2015”.

SEC. 2. URBAN FLOODING DEFINED. (a) In General.—In this Act, the term “urban flooding” means the inundation of property in a built environment, particularly in more densely populated areas, caused by in-filling with impermeable surface and overwhelming the capacity of drainage systems, such as storm sewers.

(b) Inclusions.—In this Act, the term “urban flooding” includes—

(1) situations in which stormwater enters buildings through windows, doors, or other openings;

(2) water backup through sewer pipes, showers, toilets, sinks, and floor drains;

(3) seepage through walls and floors;

(4) the accumulation of water on property or public rights-of-way; and

(5) the overflow from water bodies, such as rivers and lakes.

(c) EXCLUSION.—In this Act, the term “urban flooding” does not include flooding in undeveloped or agricultural areas.

SEC. 3. URBAN FLOODING STUDY. AGREEMENT WITH NATIONAL ACADEMY OF SCIENCES.—The Administrator of the Federal Emergency Management Agency shall enter into an agreement with the National Academy of Sciences for the purpose of conducting a study on urban flooding in accordance with the requirements of this section. The primary focus of the study shall be on urban areas outside of special flood hazard areas, as defined by the Federal Emergency Management Agency.

(b) CONTENTS.—(1) GENERAL REVIEW AND EVALUATION.—In conducting the study, the National Academy of Sciences shall review and evaluate the latest available research, laws, regulations, policies, best practices, procedures, and institutional knowledge regarding urban flooding.

(2) SPECIFIC ISSUE AREAS.—The study shall include, at a minimum, an examination of the following:

(A) The prevalence and costs associated with urban flooding events across the United States, with a focus on the largest metropolitan areas and areas in frequency and severity over the past 2 decades.

(B) The adequacy of existing federally provided flood risk information and the most current effective methods to identify, map, or otherwise characterize the risk of property damage from urban flooding on a property-by-property basis, whether or not a property is in or adjacent to a 1-percent (100-year) floodplain, and the potential for training and certifying local experts in flood risk characterization as a service to property purchasers and owners and their communities.

(C) The causes of urban flooding and its apparent increase over the past 20 years, including the impacts of—

(i) global climate change;

(ii) increasing urbanization and the associating increase in impervious surfaces; and

(iii) undersized, deteriorating, and otherwise ineffective stormwater infrastructure.

(D) The most cost-effective strategies, policies, technologies, practices, and rules used to reduce the impacts of urban flooding, with a focus on decentralized, easy-to-install, and low-cost approaches, such as natural and smart approaches on public and private property. The examination under this subparagraph shall include an assessment of opportunities for implementing innovative strategies and practices on government-controlled land, such as Federal, State, and local roads, parking lots, alleys, sidewalks, buildings, recreational areas, and open space.

(E) The role of the Federal Government and State governments, as conveners, funders, and advocates, in spurring market innovations based on public-private-non-profit partnerships. Such innovations may include smart home technologies for improved flood warning systems connected to high-resolution weather forecast data and Internet- and cellular-based communications systems.

(F) The most sustainable and effective mechanisms for funding flood risk and flood damage reduction at all levels of government, including—

(i) the potential for establishing a State revolving fund water pollution control program similar to the revolving fund programs under the Federal Water Pollution Control Act and the Safe Drinking Water Act;

(ii) stormwater fee programs using impervious surface as the basis for fee rates and
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providing credits for the installation of flood prevention or other stormwater management features;

(iii) grant programs; and

(iv) public-private partnerships.

(G) Information and education strategies and practices, including nontraditional approaches such as the use of community colleges, community centers, government staff, and property owners on

(i) flood risks;

(ii) flood risk reduction strategies and practices; and

(iii) the availability and effectiveness of different federal insurance policies.

(H) The relevance of the National Flood Insurance Program and Community Rating System to urban flooding areas outside traditional flood plains, and strategies for improving compliance, broadening coverage, and increasing participation under the programs

(I) Strategies for protecting communities in the lower elevations of a watershed or drainage area from the flooding impacts of development in upstream communities, including a review of—

(i) potential standards for watershed-wide flood protection planning; and

(ii) cost-effective and equitable legal options for communities with multi-state drainage communities in a way that increases flooding downstream.

(K) Opportunities to increase coordination between stormwater management programming under the National Pollutant Discharge Elimination System and the Environmental Protection Agency, the Director of the United States Geological Survey, the Chief of the Natural Resources Conservation Service, the Food and Nutrition Service, State, regional, and local stormwater management agencies, State insurance commissioners, and other interested parties as the Administrator of the Federal Emergency Management Agency considers appropriate.

(2) COOPERATION.—The head of each Federal agency referred to in paragraph (1) shall cooperate with the Administrator of the Federal Emergency Management Agency in carrying out this section as requested by the Administrator.

(3) WHERE IN CONGRESS.—Not later than December 31, 2016, the Administrator of the Federal Emergency Management Agency shall submit to the Committee on Financial Services and the Committee on Appropriations of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing the findings of the National Academy of Sciences based on the results of the study, including the recommendations for implementation of strategies, practices, and technologies relating to urban flooding by Congress and the executive branch.

By Mr. GRASSLEY (for himself, Mr. LEAHY, and Mr. LEE):

S. 1482. A bill to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I rise to introduce the National Educational Aid Act of 2015, a bill that extends the Section 508 antitrust exemption for higher education institutions. I am pleased that Senator LEAHY and Senator LEE are cosponsoring this bill.

The antitrust exemption enables colleges and universities to collaborate on need-blind financial aid policies. It allows these institutions to collaborate on a common formula for calculating a family’s ability to pay for college, by permitting certain specific activities. The exemption was enacted in 1984, and since then has been reauthorized by Congress on three occasions. In addition, a 2006 GAO report found that the activities permitted by Section 508 did not result in harm to competition.

Our bill would provide a 7-year extension for this exemption, and also remove one of the four previously permitted activities under the exemption that no school has ever used. By allowing financial aid professionals to work together in these ways, Section 508 provides increased access to higher education to low-income students, while preventing needless litigation over the development of principles for determining financial need.

I am proud to introduce this important, bipartisan bill, which will ensure these benefits remain available for students and will encourage access to higher education for years to come.

I thank my colleagues, Senators LEAHY and LEE, for their support of this effort.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1482

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Need-Based Educational Aid Act of 2015”.

SEC. 2. EXTENSION RELATING TO THE APPLICATION OF THE ANTI-TRUST LAWS TO THE AWARD OF NEED-BASED EDUCATIONAL AID.

Section 508 of the Improving America’s Schools Act of 1994 (15 U.S.C. 1 note) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting “or” after the semicolon;

(B) in paragraph (3), by striking “; or” and inserting a period at the end; and

(C) by striking paragraph (4); and

(2) in subsection (d), by striking “2015” and inserting “2022”.

Mr. LEAHY. Mr. President, today I am joining with Senators GRASSLEY and LEE in introducing legislation to extend for the fourth 7 years the antitrust exemption permitting colleges and universities to collaborate on issues of need-based financial aid. This exemption, which was first enacted by Congress in 1994, allows colleges and universities that admit students on a need-blind basis to collaborate on the formula used to determine how much families can pay for college. The National Educational Aid Act of 2015 is the fourth reauthorization of this exemption, which is set to expire this year.

Congress must always carefully consider the benefits and drawbacks of creating a permanent antitrust exemption. These laws serve as an important bulwark to protect consumers from anti-competitive conduct. The Government Accountability Office has studied the effect of this particular exemption in the past and concluded that allowing universities to talk among themselves about financial aid policies and procedures has not caused any harm.

Antitrust exemptions should not be a blank check, however, which is why this exemption is not permanent. Our legislation will sunset the exemption once again in 2022 and we have removed one of the permitted activities that no school has ever used. A time-limited exemption ensures that Congress will continue to conduct oversight in order to assess the impact on consumers. I have long been skeptical of permanent antitrust exemptions and the effect they have on the marketplace. For example, I have worked for years with a number of Senators from both parties to repeal the McCarran-Ferguson Act, a permanent exemption for the insurance industry in place since 1945.

Allowing covered universities to focus their resources on ensuring that the most qualified students can attend some of the best schools in the nation, regardless of family income, is a bipartisan and bicameral goal. I thank Congressman SMITH and JOHNSON for introducing this bill and urge the Senate to pass this narrow legislation.

By Mr. DURBIN (for himself, Mr. BROWN, Mr. REED, Ms. WARNER, Mr. SANDERS, and Ms. BALDWIN):

S. 1486. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to Patriot employers, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1486

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Patriot Employer Tax Credit Act”.

SEC. 2. PATRIOT EMPLOYER TAX CREDIT.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

S. 458. PATRIOT EMPLOYER TAX CREDIT.

“(a) DETERMINATION OF AMOUNT.—
“(1) IN GENERAL.—For purposes of section 38, the Patriot employer credit determined under this section with respect to any taxpayer who is a Patriot employer for any taxable year, the following individuals within the State(s) by which the amount of qualified wages paid or incurred by the Patriot employer.

“(2) LIMITATION.—The amount of qualified wages which may be taken into account under paragraph (1) with respect to any employee for any taxable year shall not exceed $15,000.

“(b) PATRIOT EMPLOYER.—

“(1) IN GENERAL.—For purposes of subsection (a), the term ‘Patriot employer’ means, with respect to any taxable year, any taxpayer—

“(A) which—

“(i) maintains its headquarters in the United States if the taxpayer (or any predecessor) has ever been headquartered in the United States, and

“(ii) is not (and no predecessor of which is) an expatriated entity (as defined in section 7874(a)(2)) for the taxable year or any preceding taxable year ending after March 4, 2003,

“(B) with respect to which no assessable payment has been imposed under section 4980H during any month occurring during the taxable year, and

“(C) in the case of—

“(i) a tax arrangement which employs an average of more than 50 employees on business days during the taxable year, which—

“(I) provides compensation for at least 90 percent of its employees for services provided by such employees during the taxable year at an hourly rate (or equivalent thereof) not less than an amount equal to 156 percent of the Federal minimum wage required for a family of three for the calendar year in which the taxable year begins divided by 2,080,

“(II) meets the retirement plan requirements of subparagraph (A) of subsection (b) of paragraph (5), or

“(III) meets the additional requirements of subparagraphs (A) and (B) of paragraph (2), or

“(ii) any other taxpayer, which meets the requirements of subsection (a)(1) or (2) of clause (i) for the taxable year.

“(2) ADDITIONAL REQUIREMENTS FOR LARGE EMPLOYERS.—

“(A) UNITED STATES EMPLOYMENT.—The requirements of this subparagraph are met for any taxable year if—

“(1) in any case in which the taxpayer increases the number of employees performing substantially all of their services inside the United States by an amount not less than the increase in such number for employees performing substantially all of their services inside the United States, or

“(2) a taxpayer, which meets the requirements of subsection (a) with respect to employees performing substantially all of their services inside the United States, the taxpayer either—

“(I) increases the number of employees performing substantially all of their services inside the United States by an amount not less than the increase in such number for employees performing substantially all of their services inside the United States, or

“(II) has a percentage increase in such employees inside the United States which is not less than the percentage increase in such employees outside the United States.

“(i) in any case in which the taxpayer decreases the number of employees performing substantially all of their services for the taxable year outside the United States, the taxpayer either—

“(I) decreases the number of employees performing substantially all of their services outside the United States by an amount not less than the decrease in such number for employees outside the United States, or

“(II) has a percentage decrease in employees outside the United States which is not less than the percentage decrease in such employees outside the United States, and

“(iii) there is not a decrease in the number of employees performing substantially all of their services for the taxable year inside the United States by reason of the taxpayer contracting out to persons who are not employees of the taxpayer.

“(b) TREATMENT OF INDIVIDUALS IN THE UNIFORMED SERVICES.—The requirements of this subparagraph are met for any taxable year if—

“(i) the taxpayer provides differential wage payments (as defined in section 340(h)(2)) to each employee described in section 340(h)(2)(A) for any period during the taxable year in an amount not less than the difference between the wages which would have been paid during such period and the amount of pay and allowances which the employee receives for service in the uniformed services during such period, and

“(ii) the taxpayer has in place at all times during the taxable year a written policy for the recruitment of employees who have served in the uniformed services or who are disabled.

“(3) SPECIAL RULES FOR APPLYING THE MINIMUM WAGE AND RETIREMENT PLAN REQUIREMENTS.—

“(A) MINIMUM WAGE.—In determining whether the minimum wage requirements of paragraph (1)(C)(i)(I) are met with respect to any employee, the term ‘minimum wage’ means wages (as defined in section 7704(a)(2)) for the taxable year or any preceding taxable year ending after March 4, 2003.

“(B) FINAL AVERAGE PAY.—For purposes of paragraphs (2)(B)(v)(I), final average pay shall be determined using the period of consecutive years (not exceeding 5) during which the employee had the greatest earnings from the taxpayer.

“(C) ALTERNATIVE PLAN DESIGNS.—The Secretary may prescribe regulations for a taxpayer to meet the requirements of this subsection through a combination of defined contribution plans or defined benefit plans described in paragraph (1) or through a combination of both such types of plans.

“(D) PLANS MUST MEET REQUIREMENTS WITHOUT TAKING INTO ACCOUNT SOCIAL SECURITY AND SIMILAR CONTRIBUTIONS AND BENEFITS.—A rule similar to the rule of section 416(e) shall apply.

“(E) QUALIFIED WAGES AND COMPENSATION.—For purposes of this section—

“(1) IN GENERAL.—For purposes of paragraphs (2)(B)(v)(I)(v), qualified wages shall be determined without regard to paragraph (4) thereof paid or incurred by the Patriot employer during the taxable year to employees.

“(2) WITH RESPECT TO WHOM.—

“(i) in the case of a Patriot employer which employs an average of more than 50 employees on business days during the taxable year, the requirements of paragraphs (1) and (2) of subsection (b)(1)(C)(i) are met, and

“(ii) in any case in which the taxpayer increases the number of employees performing substantially all of their services inside the United States by an amount not less than the increase in such number for employees performing substantially all of their services inside the United States, the taxpayer either—

“(A) a defined contribution plan which—

“(i) requires the employer to make non-elective contributions of at least 5 percent of the compensation of the employee, or

“(ii) both—

“(B) includes an eligible automatic contribution arrangement (as defined in section 414(w)(3)) with respect to any employee the compensation of which described in section 414(w)(3)(B) is at least 5 percent, and

“(II) requires the employer to make matching contributions of 100 percent of the elective deferrals (as defined in section 414(u)(2)(C)) of the employee to the extent such deferrals do not exceed the percentage specified by the plan (not less than 5 percent) of the employee’s compensation, or

“(B) a defined benefit plan—

“(i) with respect to the accrued benefit of the employee derived from employer contributions, when expressed as an annual retirement benefit, is not less than the product of—

“(I) the lesser of 2 percent multiplied by the employee’s years of service (determined under the rules of paragraphs (4), (5), and (6) of section 411(a) with the employer or 20 percent, multiplied by

“(II) the employee’s final average pay, or

“(III) which is an applicable defined benefit plan (as defined in section 411(b)(5)(B)—

“(1) which meets the interest credit requirements of section 411(b)(5)(B)(i) with respect to the plan year, and

“(2) in which the employee receives a pay credit for the plan year which is not less than 5 percent of compensation.

“(3) FOR PURPOSES OF THIS SUBSECTION—

“(A) ELIGIBLE RETIREMENT PLAN.—The term ‘eligible retirement plan’ has the meaning given such term by section 419(b)(1), except that in the case of an account or annuity described in clause (i) or (ii) thereof, such term shall include an account or annuity which is a single employer pension plan (as defined in section 401(k)).

“(B) FINAL AVERAGE PAY.—For purposes of paragraphs (2)(B)(v)(I), final average pay shall be determined using the period of consecutive years (not exceeding 5) during which the employee had the greatest compensation from the taxpayer.

“(C) ALTERNATIVE PLAN DESIGNS.—The Secretary may prescribe regulations for a taxpayer to meet the requirements of this subsection through a combination of defined contribution plans or defined benefit plans described in paragraph (1) or through a combination of both such types of plans.

“(D) PLANS MUST MEET REQUIREMENTS WITHOUT TAKING INTO ACCOUNT SOCIAL SECURITY AND SIMILAR CONTRIBUTIONS AND BENEFITS.—A rule similar to the rule of section 416(e) shall apply.

“(E) QUALIFIED WAGES AND COMPENSATION.—For purposes of this section—

“(1) IN GENERAL.—For purposes of paragraphs (2)(B)(v)(I), qualified wages means (as defined in section 51(c), determined without regard to paragraph (4) thereof) paid or incurred by the Patriot employer during the taxable year to employees.

“(A) who perform substantially all of their services for such Patriot employer inside the United States, and

“(B) with respect to whom—

“(i) in the case of a Patriot employer which employs an average of more than 50 employees on business days during the taxable year, the requirements of paragraphs (1) and (2) of subsection (b)(1)(C)(i) are met, and

“(ii) the employee described in section 414(u)(2)(C) of the employee to the extent such deferrals do not exceed the percentage specified by the plan (not less than 5 percent) of the employee’s compensation, or

“(3) FOR PURPOSES OF THIS SUBSECTION—

“(A) with respect to whom—

“(i) in the case of a Patriot employer which employs an average of more than 50 employees on business days during the taxable year, the requirements of paragraphs (1) and (2) of subsection (b)(1)(C)(i) are met, and

“(ii) the employee described in section 414(u)(2)(C) of the employee to the extent such deferrals do not exceed the percentage specified by the plan (not less than 5 percent) of the employee’s compensation, or

“(3) COMPENSATION.—For purposes of subsections (b)(1)(C)(i)(I) and (c), the term ‘compensation’ has the same meaning as qualified wages except that section 340(h)(2) shall be disregarded in determining the amount of such wages.

“(e) AGGREGATION RULES.—For purposes of this section—

“(1) IN GENERAL.—All persons treated as a single employer under subsection (a) or (b) of
(A) the determination under subsections (a) and (b) of section 52 for purposes of paragraph (1) shall be made without regard to sections or to the foreign-related interest expense of any taxpayer who is directly allocable to income with respect to certain assets.

(b) EFFECTIVE DATE.—The amendments made by this section shall be applied to taxable years beginning after December 31, 2015.
amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to amendment SA 1463 submitted by Mr. McCaIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table. SA 1474. Mr. DONNELLY (for himself, Mr. Cruz, Mr. BENT, and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. McCaIN and intended to be proposed to the bill H.R. 1735, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1463. Mr. McCaIN submitted an amendment intended to be proposed by him to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2016”.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS.

(a) DIVISIONS.—This Act is organized into four divisions as follows:

(1) Division A—Department of Defense Authorization.

(2) Division B—Military Construction Authorization.

(3) Division C—Department of Energy National Security Authorization.

(4) Division D—Funding tables.

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

1. Short title.

2. Organization of Act into divisions; table of contents.

3. Congressional defense committees.

4. Budgetary effects of this Act.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Navy Programs

Sec. 111. Amendment to cost limitation baseline for CVN-78 class aircraft carrier program.

Sec. 112. Limitation on availability of funds for USS JOHN F. KENNEDY (CVN-79).

Sec. 113. Limitation on availability of funds for USS ENTERPRISE (CVN-80).

Sec. 114. Modification of CVN-78 class aircraft carrier program.

Sec. 115. Limitation on availability of funds for Littoral Combat Ship.

Sec. 116. Extension of modification of limitation on availability of funds for Littoral Combat Ship.

Sec. 117. Construction of additional Arleigh Burke destroyers.

Sec. 118. Fleet Replenishment Oiler Program.

Subtitle C—Air Force Programs

Sec. 131. Limitations on retirement of B-1, B-2, and B-52 bomber aircraft.

Sec. 132. Limitation on retirement of Air Force fighter aircraft.

Sec. 133. Limitation on availability of funds for development of the Joint Strike Fighter.

Sec. 134. Prohibition on retirement of A-10 aircraft.

Sec. 135. Prohibition on availability of funds for retirement of EC-130H Compass Call aircraft.

Sec. 136. Limitation on transfer of C-130 aircraft.

Sec. 137. Limitation on use of funds for T-1A Jayhawk aircraft.

Sec. 138. Restriction on retirement of the Joint Surveillance Target Attack Radar System (JSTARS), EC-130H Compass Call, and Airborne Early Warning and Control (AWACS) Aircraft.

Sec. 139. Sense of Congress regarding the OCONUS basing of the F-35A aircraft.

Sec. 140. Sense of Congress on F-16 Active Electronically Scanned Array (AESA) radars.

Subtitle D—Defense-wide, Joint, and Multiservice Matters

Sec. 151. Report on Army and Marine Corps modernization plan for small arms.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Centers for Science, Technology, and Engineering Partnership.

Sec. 212. Department of Defense technology offices, to build and maintain the military technological superiority of the United States.

Sec. 213. Recapitalization of defense research and development rapid innovation program.

Sec. 214. Reauthorization of Global Research Watch program.

Sec. 215. Science and technology activities to support business systems information technology acquisition programs.

Sec. 216. Expansion of eligibility for financial assistance under Department of Defense Science, Mathematics, and Research for Transformation program to include citizens of countries participating in The Technical Cooperation Program.

Subtitle C—Logistics and Sustainment

Sec. 231. Repeal of limitation on authority to enter into a contract for the sustainment, maintenance, repair, or overhaul of the F117 engine.

Subtitle D—Reports

Sec. 331. Modification of annual report on prepositioned materiel and equipment program.

Subtitle E—Limitations and Extensions of Authority

Sec. 341. Modification of requirements for transferring aircraft within the Air Force inventory.

Sec. 342. Limitation on use of funds for Department of Defense sponsorships, advertising, or marketing associated with sports-related organizations or sporting events.

Sec. 343. Temporary authority to extend contracts and leases under ARMS initiative.

Subtitle F—Other Matters

Sec. 351. Streamlining of Department of Defense management and operational headquarters.

Sec. 352. Adoption of retired military working dogs.

Sec. 353. Modification of required review of projects relating to potential obstructions to aviation.

Sec. 354. Pilot program on intensive instruction in certain Asian languages.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Sec. 402. Enhancement of authority for management of end strengths for military personnel.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.

Sec. 412. End strengths for Reserves on active duty in support of the reserves.

Sec. 413. End strengths for military technicians (dual status).

Sec. 414. Fiscal year 2016 limitation on number of non-dual status technicians.

Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

Sec. 416. Chief of the National Guard Bureau authority to increase certain end strengths applicable to the Army National Guard.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.
TITLE V—MILITARY PERSONNEL POLICY
Subtitle A—Officer Personnel Policy
Sec. 501. Authority of promotion boards to recommend officers of particular merit be placed at the top of the promotion list.
Sec. 502. Minimum grades for certain corps and related positions in the Army, Navy, and Air Force.
Sec. 503. Enhancement of military personnel authorities in connection with the defense acquisition workforce.
Sec. 504. Enhanced flexibility for determination of officers to continue on active duty and for selective early retirement and early discharge.
Sec. 505. Authority to defer until age 68 mandatory retirement for age of a general or flag officer serving as Chief or Deputy Chief of Chaplains of the Army, Navy, or Air Force.
Sec. 506. Reinstatement of enhanced authority for selective early discharge of warrant officers.
Sec. 507. Authority to conduct warrant officer retired grade determinations.
Subtitle B—Reserve Component Management
Sec. 511. Authority to designate certain reserve officers as not to be considered for selection for promotion.
Sec. 512. Clarification of purpose of reserve component special selection boards as limited to correction of errors at a mandatory promotion board.
Sec. 513. Reconciliation of contradictory provisions relating to citizen-soldier qualifications for enlistment in the reserve components of the Armed Forces.
Sec. 514. Authority for certain Air Force reserve component personnel to provide training and instruction regarding pilot instructor training.
Subtitle C—General Service Authorities
Sec. 521. Duty required for eligibility for preseparation counseling for members being discharged or released from active duty.
Sec. 522. Extension of pilot programs on career flexibility to enhance retention of members of the Armed Forces.
Sec. 523. Sense of Senate on development of gender-neutral occupational standards for occupational assignments in the Armed Forces.
Subtitle D—Member Education and Training
PART I—Enforcement of Assistance Reform
Sec. 531. Limitation on tuition assistance for off-duty training or education.
Sec. 532. Termination of program of educational assistance for reserve component members supporting contingency operations and other operations.
Sec. 533. Reports on educational levels attained by certain members of the Armed Forces at time of separation from the Armed Forces.
Sec. 534. Sense of Congress on transferability of unused education benefits to family members.
Sec. 535. No entitlement to unemployment insurance while receiving Post-9/11 Education Assistance.
PART II—Other Matters
Sec. 536. Repeal of statutory specification of minimum duration of in-resident instruction for courses of instruction offered as part of the Ph.D. program in professional military education.
Sec. 537. Quality assurance of certification programs and standards for professional credentials obtained by members of the Armed Forces.
Sec. 538. Support for athletic programs of the United States Military Academy.
Sec. 539. Online access to the higher education component of the Transition Assistance Program.
Subtitle E—Military Justice
Sec. 546. Modification of Rule 304 of the Military Rules of Evidence relating to the corroboration of a confession or admission.
Sec. 547. Modification of Rule 104 of the Rules for Courts-Martial to establish certain prohibitions concerning evaluations of Special Victims' Counsel.
Sec. 548. Right of victims of offenses under the Uniform Code of Military Justice to time and place disclosure of certain materials and information in connection with prosecution of offenses.
Sec. 549. Enforcement of certain crime victims' rights by the Court of Criminal Appeals.
Sec. 550. Release to victims upon request of complete or summary of proceedings and testimony of courts-martial in cases in which sentences adjudged could include punitive discharges.
Sec. 551. Representation and assistance of victims by Special Victims' Counsel in questioning by military criminal investigators.
Sec. 552. Authority of Special Victims' Counsel to provide legal consultation and assistance in connection with various Government processes.
Sec. 553. Enhancement of confidentiality of restricted reporting of sexual assault in the military.
Sec. 554. Establishment of Office of Complex Investigations within the National Guard Bureau.
Sec. 555. Modification of deadline for establishment of Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces.
Sec. 556. Comptroller General of the United States reports on prevention and response to sexual assault by the Army National Guard and the Army Reserve.
Sec. 557. Sense of Congress on the service of military families and on sentencing retirement-eligible members of the Armed Forces.
Subtitle F—Defense Dependents Education and Military Family Readiness
Sec. 561. Continuation of authority to assist the Secretary of Defense to establish educational institutions to benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
Sec. 562. Impact aid for children with severe disabilities.
Sec. 563. Authority to use appropriated funds to support Department of Defense student meal programs in domestic dependent elementary and secondary schools located outside the United States.
Sec. 564. Biennial surveys of military dependents on military family readiness matters.
Subtitle G—Miscellaneous Reporting Requirements
Sec. 571. Extension of semiannual reports on the involuntary separation of members of the Armed Forces.
Sec. 572. Remotely piloted aircraft career and field manning requirements.
Subtitle H—Other Matters
PART I—FINANCIAL LITERACY AND PREPAREDNESS OF MEMBERS OF THE ARMED FORCES
Sec. 581. Improvement of financial literacy and preparedness of members of the Armed Forces.
Sec. 582. Financial literacy training with respect to certain financial services for members of the uniformed services.
Sec. 583. Sense of Congress on financial literacy and preparedness of members of the Armed Forces.
PART II—OTHER MATTERS
Sec. 586. Authority for applications for correction of military records to be initiated by the Secretary concerned.
Sec. 587. Recordation of obligations for installment payments of incentive pays, allowances, and similar benefits when payment is due.
Sec. 588. Enhancements to Yellow Ribbon Reintegration Program.
Sec. 589. Priority processing of applications for Transportation Worker Identification Credentials for members undergoing discharge or release from the Armed Forces.
Sec. 590. Issuance of Recognition of Service ID Cards to certain members separating from the Armed Forces.
Sec. 591. Revised policy on network services for military services.
Sec. 592. Increase in number of days of active duty required to be performed by reserve component members for duty to be considered Federal service for purposes of unemployment compensation for ex-servicemembers.
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Sec. 1267. Report on China’s activities in the space.

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Sec. 1625. Evaluation of cyber vulnerabilities of major weapon systems of the Department of Defense.

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Sec. 2821. Release of reversionary interest for unencumbered uranium.
Sec. 2822. Phase three review of national security requirements assessment.
Sec. 2823. Modification of submission of asset management plan.
Sec. 2824. Military construction program to improve security of defense nuclear facilities.
Sec. 2825. Extension of temporary, limited for reserve components military construction projects outside the United States.
Sec. 2826. Conveyance of defense nuclear facilities.
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TITLE XXXI—DEPARTMENT OF ENERGY AUTHORIZATIONS AND OTHER AUTHORIZATIONS
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Sec. 3101. Operation and maintenance.
Sec. 3102. Research, development, test, and evaluation.
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Sec. 3111. Responsive capabilities program.
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Sec. 3114. Plan for deactivation and decommissioning of nonoperational defense nuclear facilities.
Sec. 3115. Hanford Waste Treatment and Immobilization Plant contract oversight.
Sec. 3116. Assessment of emergency preparedness of defense nuclear facilities.
Sec. 3117. Laboratory- and facility-directed research and development programs.
Sec. 3118. Modification on limitations for employees of the National Nuclear Security Administration who engage in improper program management.
Sec. 3119. Modification of authorized personnel levels of the Office of the Administrator for Nuclear Security.

SEC. 111. AMENDMENT TO COST LIMITATION BASELINE FOR CVN-78 CLASS AIRCRAFT CARRIER PROGRAM.
Section 122(a)(2) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2164), as amended by section 121(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 691), is further amended by striking "$11,498,000,000" and inserting "$11,398,000,000".

SEC. 112. LIMITATION ON AVAILABILITY OF FUNDS FOR USS JOHN F. KENNEDY (CVN-79).
(a) Limitation.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for procurement for the USS JOHN F. KENNEDY (CVN-79), $100,000,000 may not be obligated or expended until the date on which the Secretary of the Navy submits to the Committees on Armed Services of the Senate and of the House of Representatives a report that evaluates cost issues related to the USS JOHN F. KENNEDY (CVN-79) and the USS ENTERPRISE (CVN-80).
(b) Certification.—The Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and of the House of Representatives a report that evaluates cost issues related to the USS JOHN F. KENNEDY (CVN-79) and the USS ENTERPRISE (CVN-80).

TITLE XLII—RESEARCH, DEVELOPMENT, TEST AND EVALUATION
Subtitle A—Military Construction
Sec. 4101. Procurement.
Sec. 4102. Procurement for overseas contingency operations.
Sec. 4201. Research, development, test, and evaluation.
Sec. 4202. Research, development, test, and evaluation for overseas contingency operations.
Sec. 4301. Operation and maintenance.
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Sec. 4401. Military personnel.
Sec. 4402. Military personnel for overseas contingency operations.
Sec. 4501. Other authorizations.
Sec. 4502. Other authorizations for overseas contingency operations.
Sec. 4601. Military construction.
Sec. 4602. Military construction.
Sec. 4701. Department of Energy national security programs.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.
In this Act, the term ‘‘congressional defense committees’’ has the meaning given that term in section 101(a)(16) of title 10, United States Code.

SEC. 4. BUDGETARY EFFECTS OF THIS ACT.
The budgetary effects of this Act, for the purposes of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ‘‘Budjetary Effects of PAYGO Legislation’’ for this Act, jointly submitted for printing in the Congressional Record by the Chairman of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on the conference report or concurrence of the Senate.

DIVISION A—DEFENSE AUTHORIZATIONS
TITLE I—PROCUREMENT
Subtitle A—Authorization of Appropriations
Funds are hereby authorized to be appropriated for fiscal year 2016 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 410.
(B) A description of alternative aircraft carrier designs that meet the requirements described under subparagraph (A).
(C) A description of nuclear and non-nuclear propulsion options.
(D) A description of tonnage options ranging from less than 20,000 tons to greater than 100,000 tons.
(E) Requirements for unmanned systems integration from inception.
(F) Developmental, procurement, and lifecycle cost assessment of alternatives.
(G) A notional option strategy for development and construction of alternatives.
(H) A description of shipbuilding industrial base considerations and a plan to ensure opportunities for competition among alternatives.
(I) A description of funding and timing considerations related to developing the annual Long-Range Plan for Construction of Naval Vessels required under section 231 of title 10, United States Code.

SEC. 113. LIMITATION ON AVAILABILITY OF FUNDS FOR USS ENTERPRISE (CVN–80).
(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for advance procurement for the USS ENTERPRISE (CVN–80), $191,400,000 may not be obligated or expended until the Secretary of the Navy submits to the Committees on Armed Services of the Senate and the House of Representatives the certification required under subsection (b) and the report required under subsection (c).

(b) CERTIFICATION REGARDING CVN–80 DESIGN.—The Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives a certification that the design of CVN–80 will repeat that of CVN–79, with modifications only for significant test and evaluation results or significant cost reduction initiatives that occur after threshold requirements.

(c) REPORT.—
(I) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that details the plans costs related to the USS ENTERPRISE (CVN–80).

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:
(A) Overall plans.
(B) Propulsion plant detail design.
(C) Platform detail design.
(D) Lead yard services and hull planning yard.
(E) Platform detail design (Steam and Electric Plant Planning Yard).
(F) Other.

SEC. 114. MODIFICATION OF CVN–78 CLASS AIRCRAFT CARRIER PROGRAM.

(1) by striking ‘‘this Act, the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015, or otherwise made available for fiscal years 2014 or 2015’’ and inserting ‘‘this Act, the National Defense Authorization Act for Fiscal Year 2016, or otherwise made available for fiscal years 2014, 2015, or 2016’’; and
(2) by adding at the end the following new paragraph:

‘‘(c) Program and timeline for LCS modernization strategy to reach the total acquisition quantity of each mission module.

(d) A cost and schedule plan to outfit Flight 0 and Flight 0+ Littoral Combat Ships with capabilities identified for the upgraded Littoral Combat Ship.

(e) A Littoral Combat Ship seafarer acquisition strategy for the Littoral Combat Ships designated as LCS 25 through LCS 32, including upgrades to be installed on these ships that were identified as part of the upgraded Littoral Combat Ship, which is proposed to commence with LCS 33.

(f) A Littoral Combat Ship mission module acquisition strategy to reach the total acquisition quantity of each mission module.

(g) A current and future test and evaluation Master Plan for the Littoral Combat Ship Mission Modules, approved by the Director of Operational Test and Evaluation, which includes the performance levels expected to be demonstrated during testing for each component and mission module prior to commencing the associated operational test phase.’’.

SEC. 117. CONSTRUCTION OF ADDITIONAL ARLEIGH BURKE DESTROYER.
(a) In General.—The Secretary of the Navy may enter into a contract beginning with the fiscal year 2017 for the procurement of one Arleigh Burke class destroyer in addition to the ten DDG–61s in the fiscal year 2013 through 2017 multiyear procurement contract or for one DDG–51 in fiscal year 2018. The Secretary may employ funds available for the procurement of one Arleigh Burke class destroyer in addition to the ten DDG–61s in the fiscal year 2013 through 2017 multiyear procurement contract or for one DDG–51 in fiscal year 2018. The Secretary may employ incremental funding for such procurement.

(b) CONDITION ON OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under such contract for any fiscal year after fiscal year 2016 is subject to the availability of appropriations for that purpose for such fiscal year.

SEC. 118. FLEET REPLENISHMENT OLIER PROGRAM.
(a) CONTRACT AUTHORITY.—The Secretary of the Navy may enter into one or more contracts to procure up to six Fleet Replenishment Oilers. Such procurements may also include advance procurement for Economic
Order Quantity (EOQ) and long lead time materials, beginning with the lead ship, commencing not earlier than fiscal year 2014.

(b) LIABILITY.—Any contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that total liability to the government for termination of any contract entered into shall be limited to the total amount of funding obligated at the time of termination of the contract.

SEC. 119. REPORTING REQUIREMENT FOR OHIO-CLASS REPLACEMENT SUBMARINE PROGRAM.

The Secretary of Defense shall include in the budget justification materials for the Ohio-class replacement submarine program submitted to Congress in support of the Department of Defense budget for that fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) the following:

(1) A list of each aircraft in the inventory of fighter aircraft of not less than 1,116 fighter aircraft designated as primary mission aircraft inventory (PMAI).

(2) The Secretary shall commission an appropriate entity outside the Department of Defense to conduct an assessment of the required capability or mission platform for the A-10 aircraft. This assessment would represent preparatory work to inform an analysis of replacement fighter aircraft that—

(A) is designated by a mission design series prefix of F- or A-;

(II) is manned by one or two crewmembers; and

(III) executes single-role or multi-role missions, including air-to-air combat, air-to-ground, ground attack, suppression or destruction of enemy air defenses, close air support, strike control and reconnaissance, combat search and rescue support, or airborne early warning.

(B) The term 'primary mission aircraft inventory' means aircraft assigned to meet the active fighter force structure for the purpose of meeting the National Defense Strategy; and

(C) A list of each unit affected by a proposed retirement listed under subparagraph (B) and a description of how such unit is affected.

(D) For each military installation and unit listed under subparagraph (B)(iii), a description of changes, if any, to the designed operational capability (DOC) statement of the unit resulting from a proposed retirement.

(E) A description of any anticipated changes in manpower authorizations as a result of a proposed retirement listed under subparagraph (B).

(F) The funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for aircraft procurement, Air Force, not more than $4,285,000,000 may be made available for the procurement of F-35A aircraft during the period the Secretary certifies to the congressional defense committees that F-35A aircraft delivered in fiscal year 2018 will have full combat capability as planned with full planned software, hardware, and weapons carriage.

SEC. 133. LIMITATION ON AVAILABILITY OF FUNDS FOR F-35A AIRCRAFT PROCUREMENT.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for aircraft procurement, Air Force, not more than $4,285,000,000 may be made available for the procurement of F-35A aircraft until the Secretary certifies to the congressional defense committees that F-35A aircraft delivered in fiscal year 2018 will have full combat capability as planned with full planned software, hardware, and weapons carriage.

SEC. 134. PROHIBITION ON RETIREMENT OF A-10 AIRCRAFT.

(a) PROHIBITION ON AVAILABILITY OF FUNDS FOR RETIREMENT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage or on backup flying status any A-10 aircraft.

(b) MINIMUM INVENTORY REQUIREMENT.—The Secretary of the Air Force shall ensure the Air Force maintains a minimum of 71 A-10 aircraft designated as primary mission aircraft inventory (PMAI).

(c) PROHIBITION ON AVAILABILITY OF FUNDS FOR SIGNIFICANT REDUCTIONS IN MANNING LEVELS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Air Force may be obligated or expended to make significant reductions to manning levels with respect to any A-10 aircraft squadrons or divisions.

(d) ADDITIONAL LIMITATION ON SIGNIFICANT REDUCTIONS IN MANNING LEVELS.—In addition to the limitation in subsection (c), during the period before December 31, 2016, the Secretary of the Air Force may not place in storage any A-10 aircraft.

SEC. 135. ADDITIONAL LIMITATION ON CAPABILITY REQUIREMENTS OR MISSION PLATFORM FOR THE A-10 AIRCRAFT.

(a) IN GENERAL.—The Secretary of the Air Force shall commission an appropriate entity outside the Department of Defense to conduct an assessment of the required capability or mission platform to replace the A-10 aircraft. This assessment would represent preparatory work to inform an analysis of alternatives.

(b) ADDITIONAL LIMITATION ON SIGNIFICANT REDUCTIONS IN MANNING LEVELS.—In addition to the limitation in subsection (c), during the period before December 31, 2016, the Secretary of the Air Force may not place in storage any A-10 aircraft squadron or division.

SEC. 136. STUDY ON REPLACEMENT CAPABILITY REQUIREMENTS OR MISSION PLATFORM FOR THE A-10 AIRCRAFT.

(a) STUDY REQUIRED.—The Secretary of the Air Force shall commission an appropriate entity outside the Department of Defense to conduct an assessment of the required capability or mission platform for the A-10 aircraft. This assessment would represent preparatory work to inform an analysis of alternatives.

(b) ADDITIONAL LIMITATION ON SIGNIFICANT REDUCTIONS IN MANNING LEVELS.—In addition to the limitation in subsection (c), during the period before December 31, 2016, the Secretary of the Air Force may not place in storage any A-10 aircraft squadron or division.
(I) Future needs analysis for the current A-10 aircraft mission set to include troops-in-contact/close air support, air interdiction, strike control and reconnaissance, and combat search and rescue support in both contested and un-contested battle environments. At a minimum, the needs analysis should specifically address the following areas:

(1) The ability to safely and effectively conduct troops-in-contact/danger close missions or missions in close proximity to civilians in the presence of the air defenses found with enemy ground maneuver units.

(II) The ability to effectively target and destroy moving, camouflaged, or dug-in troops, artillery, armor, and armored personnel carriers.

(III) The ability to remain within visual range of friendly forces and targets to facilitate responsive forces to ground forces and minimize re-attack times.

(IV) The ability to safely conduct close air support beneath low cloud ceilings and in reduced visibilities at low airspeeds in the presence of the air defenses found with enemy ground maneuver units.

(V) The capability to enable the pilot and aircraft to survive attacks stemming from small arms, machine guns, MANPADs, and lower caliber anti-aircraft artillery organic or attached to enemy ground forces and maneuver units.

(VI) The ability to communicate effectively with ground forces and downed pilots, including in communications jamming or satellite-denied environments.

(VII) The ability to execute the missions described in subclauses (I), (II), (III), and (IV) in a GPS- or satellite-denied environment with or without sensors.

(VIII) The ability to deliver multiple lethal firing passes and sustain long loiter endurance for sustained engagement of enemy forces throughout extended ground engagements.

(IX) The ability to operate from unprepared dirt, grass, and narrow road runways and to generate high sortie rates under these austere conditions.

(ii) Identification and assessment of gaps in the ability of existing and programmed mission platforms in providing required capabilities to conduct missions specified in clause (i) in both contested and un-contested battle environments.

(iii) Assessment of operational effectiveness of existing and programmed mission platforms to conduct missions specified in clause (i) in both contested and un-contested battle environments.

(iv) Assessment of probability of likelihood of conducting missions requiring troops-in-contact support operations specified in clause (i) in contested and un-contested battle environments.

(v) Any other matters the independent executive summary and may contain an unclassified executive summary and may contain an unclassified annex.

SEC. 139. SENSE OF CONGRESS REGARDING THE OCCUPATIONAL KHESAN THIEN AIRCRAFT.

(a) FINDING.—Congress finds that the Department of Defense is continuing its process of permanently stationing the F-35 aircraft at installations in the Continental United States in this section referred to as “CONUS” and forward-based Outside the Continental United States (in this section referred to as “OCONUS”).

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Air Force, in the strategic basing process for the F-35A aircraft, should continue to consider the benefits derived from locating F-35A aircraft in CONUS:

(1) are capable of hosting fighter-based bilateral and multilateral training opportunities with international partners;

(2) have sufficient airspace and range capabilities and capacity to meet the training requirements;

(3) have existing facilities to support personnel, operations, and logistics associated with the flying mission;

(4) have limited encroachment that would adversely impact training or operations; and

(5) minimize the overall construction and operational costs.

SEC. 140. SENSE OF CONGRESS ON F-16 ACTIVE ELECTRONICALLY SCANNED ARRAY (AESA) RADAR UPGRADE.

(a) FINDINGS.—Congress makes the following findings:

(1) National Guard F-16 aircraft are protecting the United States from terrorist air attack from inside or outside the contiguous United States 24 hours a day, 365 days a year. These aircraft, fielded throughout the United States, are tasked with the zero-fail mission of guarding and securing United States airspace.

(2) The United States is facing an increased threat from both state and non-state actors.

(3) The National Guard F-16 aircraft performing the Aerospace Control Alert (ACA) mission are operating legacy radar systems.

(4) Air Force Chief of Staff General Mark Welsh testified to Congress in March 2015, stating, "We need to develop an AESA radar plan for our F-16s in order to upgrade the homeland defense mission in particular."

(5) First Air Force, United States Northern Command, issued a Joint Urgent Operational Need (JUON) request in March 2015 for radar upgrades to its F-16 fleet.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is essential to our Nation’s defense that the Force Air Force aircraft funding is made available to purchase these Active Electronically Scanned Array (AESAs) for the United States Air Force bridges the gap between 4th and 5th generation fighters; and

(2) the United States Government must invest in radar upgrades which ensure that 4th generation aircraft succeed at this zero-fail mission.

(3) The First Air Force JUON request should be met as soon as possible.
(a) DESIGNATION.—(1) The Secretary of Defense, in coordination with the Secretaries of the military departments, shall designate each science and technology reinvention laboratory as a science and technology reinvention laboratory designated under section 1105 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note).

(2) The Secretary may authorize and establish incentives for the Director of a Center for Science, Technology, and Engineering Partnership to enter into public-private cooperative arrangements (in this section referred to as a "public-private partnership") to provide for any of the following:

(A) For employees of the Center, private industry, or other entities outside the Department of Defense to perform (under contract, subcontract, or otherwise) work related to the core competencies of the Center, including any work that involves one or more core competencies of the Center.

(B) For private industry or other entities outside the Department of Defense to use, for any period of time determined to be consistent with the needs of the Department of Defense, any facilities or equipment of the Center that are used for Department of Defense activities.

(2) The objectives for exercising the authority provided in paragraph (1) are as follows:

(A) To maximize the use of the capacity of a Center for Science, Technology, and Engineering Partnership.

(B) To reduce or eliminate the cost of ownership and maintenance of a Center by the Department of Defense.

(C) To recover the costs of research and testing activities of the Department of Defense.

(D) To leverage private sector investment in:

(i) such efforts as research and equipment recapitalization for a Center; and

(ii) the promotion of the undertaking of commercial business ventures based on the core competencies of a Center, as determined by the director of the Center.

(E) To foster cooperation between the armed forces, academia, and private industry.

(F) To increase access by a Center to a skilled technical workforce that can contribute to the use of Department of Defense missions.

(G) To foster cooperative agreements between federal agencies and the public-private partnership.

(H) To develop competitive opportunities for the commercialization of such technologies; and

(I) To develop and implement new policies and acquisition and business practices.

(2) GUIDELINES.—Not later than one year after the date of enactment of this Act, the Department of Defense shall establish guidelines for the operation of the program, including—

(A) criteria for an application for funding by a military department, defense agency, or a combatant command; and

(B) the priorities, if any, to be provided to field or commercialize offset technologies developed under certain types of Department research funding.

The Secretary shall issue guidelines for the operation of the program, including—

(A) a program established by the Department of Defense to establish a technology offset program to build and maintain the military technological superiority of the United States by—

(i) accelerating the fielding of offset technologies that would help counter technological advantages of potential adversaries of the United States, including directed energy, low-cost, high-speed autonomous systems, undersea warfare, cyber technology, and intelligence data analytics, to the Department of Defense research funding; and

(ii) accelerating the commercialization of such technologies; and

(B) the priorities, if any, to be provided to field or commercialize offset technologies developed under certain types of Department research funding.
Secretary shall revise the strategy required by frequently than once every 2 years, the Secretary under subsection (a).

For research, development, test, and evaluation of appropriations for such purpose, of amounts authorized to be appropriated for the fielding or commercialization of technologies is designed to accelerate operational prototypes of directed energy technologies and capabilities consistent with the directed energy strategy.

An approach to program management that is designed to accelerate operational prototyping of directed energy technologies and develop cost-effective, real-world military applications for such technologies.

Biennial Revisions.—Not less frequently than once every 2 years, the Secretary shall revise the strategy required by paragraph (1). (1)適用于 congressionally directed spending for research, development, test, and evaluation of an annual appropriations or any congressionally directed spending for research, development, test, and evaluation of any amount, not more than $200,000,000 may be used for activities in the field of directed energy.

Transfer Authority.—(1) The Secretary may transfer funds for the program to the re- search, development, test, and evaluation accounts of a military department, defense agency, or a combatant command pursuant to an agreement with any part of an application, that the Secretary determines would support the purposes of the program.

Supplement not applicable.—The transfer authority provided in this subsection is in addition to any other transfer authority available to the Department of Defense.

Executive Action.—(1) In General.—The authority to carry out a program under this section shall terminate on September 30, 2023.

(2) Transfer After Termination.—Any amounts made available for the program that remain available for obligation on the date the program terminates may be transferred under subsection (e) during the 180-day period beginning on the date of the termination of the program.

Sec. 213. Reauthorization of Defense Research, Development and Rapid Innovation Program.


(1) in subsection (d), by striking “2015” and inserting “2023”;

(2) in subsection (g), by striking “September 30, 2015” and inserting “September 30, 2023”;

(b) Modification of Guidelines for Operation of Program.—Subsection (b) of such section is amended—

(1) by amending paragraph (1) to read as follows:

“(1) The issuance of an annual broad agency announcement or the use of any other competitive or merit-based processes by the Department for candidate proposals in support of defense acquisition programs as described in subsection (a);”;

(2) in paragraph (3), by striking the second sentence;

(3) in paragraph 4—

(A) in the first sentence, by striking “be funded under the program for more than two years” and inserting “more than a total of two years of funding under the program”; and

(B) by striking the second sentence; and

(4) by adding at the end, the following new paragraphs:

“(8) Mechanisms to facilitate transition of follow-on or current projects carried out under the program into defense acquisition programs, through the use of the authorities of section 819 of the National Defense Authorization Act for Fiscal Year 2010 (Pub. L. 111–84; 10 U.S.C. 2302 note) or such other authorities as may be appropriate to conduct further testing, low rate production, or full rate production of technologies developed under the program.

“(9) Projects are selected using merit based selection procedures and the selection of projects is not subject to undue influence by Congress or other Federal agencies.”;

(c) Repeal of Report Requirement.—Such section is further amended—

(1) by striking subsection (a) and
to redesignate subsection (g) as subsection (f).

Sec. 214. Reauthorization of Global Research, Development, and Rapid Innovation Program.

Section 2365 of title 10, United States Code, is amended—

(1) in paragraphs (1) and (2) of subsection (b), by inserting “and private sector persons” after “foreign nations” both places it appears; and

(2) in subsection (i), by striking “September 30, 2015” and inserting “September 30, 2023”.

Sec. 215. Science and Technology Activities to Support Human Systems in Information Technology Acquisition Programs.

(a) In General.—The Secretary of Defense, acting through the Under Secretary of Acquisition, Technology, and Logistics, the Deputy Chief Management Officer, and the Chief Information Officer shall establish a set of science, technology, and innovation activities to improve the acquisition outcomes of major automated information systems (DOD) and improved performance and reduced developmental and life cycle costs.

(b) Execution of Activities.—The activities established under subsection (a) shall be carried out by such military departments and defense agencies as the Under Secretary and the Deputy Chief Management Officer consider appropriate.

(c) Activities.—The set of activities established under subsection (a) may include the following:

(1) Development of capabilities in Department of Defense laboratories, test centers, and Federally-funded research and development centers to provide technical support for acquisition program management and business process re-engineering activities.

(2) Funding of intramural and extramural research and development activities as described in subsection (d).

(d) Funding of Intramural and Extramural Research and Development.—

(1) In General.—In carrying out the set of activities required by subsection (a), the Secretary may award grants or contracts to eligible entities to carry out intramural or extramural research and development in areas of interest described in paragraph (3).

(2) Eligible Entities.—For purposes of this subsection, an eligible entity includes the following:

(A) Entities in the defense industry.

(B) Institutions of higher education.

(C) Small businesses.

(D) Nontraditional defense contractors (as defined in section 2302 of title 10, United States Code).

(E) Federally-funded research and development centers, primarily for the purpose of improving technical expertise to support acquisition efforts.

(F) Nonprofit research institutions.

(G) Government laboratories and test centers, primarily for the purpose of improving technical expertise to support acquisition efforts.

(3) Areas of Interest.—The areas of interest described in this paragraph are the following:

(A) Management innovation, including personnel and financial management policy innovation.

(B) Business process re-engineering.

(C) Systems engineering of information technology business systems.

(D) Cloud computing to support business systems and business processes.

(E) Software development, including systems and techniques to limit unique interfaces and simplify processes to customize commercial software to meet the needs of the Department of Defense.

(F) Hardware development, including systems and techniques to limit unique interfaces and simplify processes to customize commercial hardware to meet the needs of the Department of Defense.

(G) Development of methodologies and tools to support development and operational test of large and complex business systems.

(H) Analysis tools to allow decision makers to balance between requirements, costs, technical risks, and schedule in major automated information system acquisition programs.

(I) Information security in major automated information systems.

(J) Innovative acquisition policies and practices to streamline acquisition of information technology systems.

(A) and (K) as the Secretary considers appropriate.

(e) Priorities.—
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(1) IN GENERAL.—In carrying out the set of activities required by subsection (a), the Secretary shall give priority to—

(A) projects that—

(i) address the innovation and technology needs of the Department of Defense; and

(ii) support activities of initiatives, programs and offices identified by the Under Secretary and Deputy Chief Management Officer; and

(B) the projects and programs identified in paragraph (2).

(2) PROJECTS AND PROGRAMS IDENTIFIED.—The projects and programs identified in this paragraph are the following:

(A) Major automated information system programs;

(B) Projects and programs under the oversight of the Deputy Chief Management Officer;

(C) Projects and programs relating to defense procurement acquisition policy;

(D) Projects and programs of the Defense Contract Audit Agency;

(E) Military and civilian personnel policy development for information technology workforce.

SEC. 216. EXPANSION OF ELIGIBILITY FOR FINANCIAL ASSISTANCE UNDER DEPARTMENT OF DEFENSE SCIENCE, MATHEMATICS, AND RESEARCH FOR TECHNOLOGY PROGRAM TO INCLUDE CITIZENS OF COUNTRIES PARTICIPATING IN THE TECHNICAL COOPERATION PROGRAM.

Section 2192(b)(1)(A) of title 10, United States Code, is amended by inserting "or a country the government of which is a party to The Technical Cooperation Program (TCP) memorandum of understanding of October 24, 1995" after "United States".

SEC. 217. STREAMLINING THE JOINT FEDERATED INFORMATION TECHNOLOGY ENVIRONMENT.

Section 937(c)(2) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2224 note) is amended—

(1) in subparagraph (C), by striking ", in coordination with the Center for Assured Software of the National Security Agency,";

and

(2) in subparagraph (E), by striking ", in coordination with the Defense Microelectronics Activity."

SEC. 218. DEFINITION ON AVAILABILITY OF FUNDS FOR DEVELOPMENT OF THE SHALLOW WATER COMBAT SUBMERSIBLE.

(a) LIMITATION.—Of the amounts authorized to be appropriated in this Act or otherwise made available for fiscal year 2016 for Special Operations Command for development of the Shallow Water Combat Submersible, not more than 16.5 percent may be obligated or expended until the date that is 15 days after the later of the date on which—

(i) the Under Secretary of Defense for Acquisition, Technology, and Logistics designates a civilian official responsible for oversight and assistance to Special Operations Command for all undersea mobility programs; and

(ii) the Under Secretary, in coordination with the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict, submits to the congressional defense committees the report described in subsection (b).

(b) REPORT DESCRIBED.—The report described in this subsection is a report on the Shallow Water Combat Submersible that includes the following:

(1) An analysis of the reasons for cost and schedule overruns associated with the Shallow Water Combat Submersible program.

(2) A description of the initial and full operational capability of the Shallow Water Combat Submersible.

(3) The projected cost to meet the total unit acquisition objective.

(4) A plan to prevent, identify, and mitigate any additional cost and schedule overruns.

(5) A description of such opportunities as may be to recover cost or schedule.

(6) A description of such lessons as the Under Secretary has learned from the Shallow Water Combat Submersible program that could be applied to future undersea mobility acquisition programs.

(7) Such other actions as the Under Secretary considers appropriate.

SEC. 219. LIMITATION ON AVAILABILITY OF FUNDS FOR DISTRIBUTED COMMON GROUND SYSTEM OF THE ARMY.

(a) LIMITATION.—Of the amounts authorized to be appropriated for fiscal year 2016 for the Department of Defense by section 201 and available for research, development, test, and evaluation, Army, for the distributed common ground system of the Army as specified in the funding tables in title XLII, not more than 75 percent may be obligated or expended until the Secretary of the Army—

(1) conducts a review of the program planning for the distributed common ground system of the Army conducted under subsection (a)(1); and

(2) submits to the appropriate congressional committees the report required by subsection (b)(1).

(b) REPORT REQUIRED.—The Secretary shall submit to the congressional defense committees a report on the distributed common ground system. Such report shall include the following:

(1) A review of the segmentation of the distributed common ground system special operations forces program that commercial software exists that is capable of fulfilling most or all of the system requirements for each such component.

(2) A cost analysis of each such commercial software that compares performance with projected cost.

(3) A determination of the degree to which commercial software solutions are compliant with the standards required by the framework and guidance for the Intelligence Community Information Technology Enterprise, the Defense Intelligence Information Enterprise, the Joint Information Environment, and the Joint Information Environment.

(4) Identification of each component of the distributed common ground system special operations forces program that the Commander determines may be acquired through competitive means.

(5) An assessment of the extent to which elements of the distributed common ground system special operations forces program could be modified to increase commercial acquisition opportunities.

(6) An acquisition plan that leads to full operational capability prior to fiscal year 2019.

Subtitle C—Other Matters

SEC. 231. ASSESSMENT OF AIR-LAND MOBILE TACTICAL COMMUNICATIONS AND DATA NETWORK REQUIREMENTS AND CAPABILITIES.

(a) ASSESSMENT REQUIRED.—The Director of Cost Assessment and Program Evaluation, in consultation with the Director of Operational Test and Evaluation, shall conduct an independent study to conduct a cost effective assessment of current and future requirements and capabilities of the Department of Defense with respect to an airland ad hoc, mobile tactical communications and data network, including the technological feasibility, suitability, and survivability of such a network.

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

(1) Concepts, capabilities, and capacities of current or future communications and data network systems to meet the requirements of current or future tactical operations effectively, efficiently, and affordably.
(2) Software requirements and capabilities, particularly with respect to communications and data network waveforms.

(3) Hardware requirements and capabilities, particularly with respect to transmission technology, tactical communications, and data radios at all levels and on all platforms, all associated technologies, and their integration, compatibility, and interoperability.

(4) Any other matters that in the judgment of the independent entity are relevant or necessary to a comprehensive assessment of tactical networks or networking.

(c) Independent Entity.—The Director of Cost Assessment and Program Evaluation shall conduct an independent assessment of the methodologies for joint tactical communications and data networking to perform the assessment under subsection (a).

(d) Report Required.—Not later than April 30, 2016, the Secretary of Defense shall submit to the congressional defense committees a report including the findings and recommendations of the assessment conducted under subsection (a), together with the Secretary’s comments.

(e) Availability of Funds.—The Secretary of Defense shall use funds authorized by this Act or otherwise made available for fiscal year 2016 for the study and report required under subsection (d).

(f) Limitation on Obligation of Funds.—The Secretary of the Army may not obligate or expend more than 50 percent of the funds authorized by this Act or otherwise made available for fiscal year 2016 for the study and report under subsection (d).

SEC. 232. STUDY OF FIELD FAILURES INVOLVING COUNTERFEIT ELECTRONIC PARTS.

(a) In General.—The Secretary of Defense shall conduct a hardware assurance study to assess the presence, scope, and effect on Department of Defense operations of counterfeit electronic parts that have passed through the Department supply chain and into field systems.

(b) Execution and Technical Analysis.—

(1) In General.—The Secretary shall direct the study, which shall be published under section 937(a)(1) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2224 note) to coordinate execution of the study required by subsection (a) using capabilities of the Department in effect on the day before the date of the enactment of this Act.

(2) Elements.—The technical analysis required by paragraph (1) shall include the following:

(A) Selection of a representative sample of electronic component types, including digital, mixed-signal, and analog integrated circuits.

(B) An assessment of the presence of counterfeit parts, including causes and attributes of failures of any identified counterfeit part.

(C) For components found to have counterfeit parts present, an assessment of the impact of the counterfeit part in the failure mechanism.

(D) Failure cases with counterfeit parts contributing to the failure, a determination of the failure attributes, factors, and effects on subsystem and system level reliability, readiness, performance, or lethality.

(E) Recommendations.—As part of the study required by subsection (a), the Secretary shall develop recommendations for such legislative and administrative action, including budget requirements, as the Secretary considers necessary to conduct sampling, testing, or other data collection of counterfeit parts in identified areas of high concern.

(b) Report Required.—Not later than 540 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the study carried out under subsection (a).

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

(A) The findings of the Secretary with respect to the study conducted under subsection (a).

(B) The recommendations developed under subsection (c).

SEC. 233. DEMONSTRATION OF PERSISTENT CLOSE AIR SUPPORT CAPABILITIES.

(a) Joint Demonstration Required.—The Secretary of the Air Force, the Secretary of the Army, and the Director of the Defense Advanced Research Projects Agency shall jointly conduct a demonstration of the Persistent Close Air Support (PCAS) capability in fiscal year 2017.

(b) Parameters of Demonstration.—

(1) Selection and Equipment of Aircraft.—As part of the demonstration required by subsection (a), the Secretary of the Air Force shall select and equip at least two aircraft for use in the demonstration that the Secretary otherwise intends to use for close air support, as identified by the United States Air Force Close Air Support Forum.

(2) Close Air Support Operations.—The demonstration required by subsection (a) shall include close air support operations that involve the following:

(A) Multiple tactical radio networks representing diverse ground force user communities.

(B) Two-way digital exchanges of situational awareness data, video, and calls for fire between aircraft and ground users without modification to aircraft operational flight profiles.

(C) Real-time sharing of blue force, aircraft, and target location data to reduce risks of fratricide.

(D) Lightweight digital tools based on commercial-off-the-shelf technology for pilot and joint tactical air controllers.

(E) Operations in simple and complex operating environments.

(c) Assessment.—The Secretary of the Air Force, the Secretary of the Army, and the Director of the Defense Advanced Research Projects Agency shall jointly—

(1) assess the effect of the capabilities demonstrated as part of the demonstration required by subsection (a) on—

(A) the time required to conduct close air support operations;

(B) the effectiveness of blue force in achieving tactical objectives; and

(C) the risk of fratricide and collateral damage; and

(2) estimate the costs that would be incurred in transitioning the technology used in the Persistent Close Air Support capability to the Army and the Air Force.

SEC. 234. AIRBORNE DATA LINK PLAN.

(a) Plan Required.—The Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the Joint Chiefs of Staff shall jointly, in consultation with the Secretary of the Air Force and the Secretary of the Navy, develop a plan—

(1) to provide objective survivable communications gateways to enable the integration of national and tactical intelligence information to fourth-generation fighter aircraft and supporting airborne platforms and to low-observable penetrating platforms such as the F–22 and F–35; and

(2) to provide secure data sharing between the fifth-generation fighter aircraft of the Air Force, the Navy, and with minimal changes to the outer surfaces of the aircraft and to aircraft operational flight programs; and

(b) Final Report.—The final report shall include recommendations of the assessment conducted under subsection (c).

(c) Study Required.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the Technology Readiness Levels (TRLs) of the technologies and plans necessary to achieve the Long Range Strike Bomber aircraft.

(d) Review by Comptroller General of the United States.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Comptroller General of the United States a report on the Technology Readiness Levels (TRLs) of the technologies and plans necessary to achieve the Long Range Strike Bomber aircraft.

(e) Prohibition.—No funds may be obligated or expended by the Department of Defense on the interim communications initiatives identified as Talon Hate and Multi-Departmental Information Processing System until the congressional defense committees are briefed by the Under Secretary or the Vice Chairman about the plan required by subsection (c).

SEC. 235. REPORT ON TECHNOLOGY READINESS LEVELS OF THE TECHNOLOGIES AND CAPABILITIES CRITICAL TO THE LONG RANGE STRIKE BOMBER AIRCRAFT.

(a) Report Required.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the Technology Readiness Levels (TRLs) of the technologies and plans necessary to achieve the Long Range Strike Bomber aircraft.

(b) Review by Comptroller General of the United States.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Comptroller General of the United States a report on the Technology Readiness Levels (TRLs) of the technologies and plans necessary to achieve the Long Range Strike Bomber aircraft.

TITLe III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for salaries and expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

Subtitle B—Energy and Environment

SEC. 311. MODIFICATION OF ENERGY MANAGEMENT REPORTING REQUIREMENTS.

Section 2925(a) of title 10, United States Code, is amended—

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

(2) by redesigning paragraphs (5), (6), (8), (9), (10), (11), and (12) as paragraphs (4), (5), (6), (7), (8), (9), and (10), respectively;

(3) by amending paragraph (7), as redesignated by paragraph (2) of this section, to read as follows:

"(7) A description and estimate of the progress made by the military departments in meeting current high performance and sustainable building standards under the Unified Facilities Criteria.";

(4) by amending paragraph (9), as redesignated by such paragraph (2), to read as follows:

"(9) Details of all commercial utility outages attributable to threats or other causes incurred at military installations that last eight hours or longer, whether or not the
outage was mitigated by backup power, including non-commercial utility outages and Department of Defense-owned infrastructure, including the total number and location of outages, the financial impact of the outages, and measure taken to mitigate outages in the future at the affected locations and across the Department of Defense.

(2) The area that includes Naval Base Ventura County, San Nicolas Island, and Begg Rock and the adjacent and surrounding waters within the following coordinates:

*N. Latitude/W. Longitude
33°27′4.34″/119°5′42.2″
33°20′11.35″/119°6′17.9″
33°05′11.15″/119°2′59.3″
32°58′11.28″/119°4′19.3″
32°52′11.45″/119°3′23.4″
32°37′11.56″/119°2′11.7″
32°30′11.64″/119°0′52.0″

(3) The area that includes Naval Base Coronado, San Clemente Island and the adjacent and surrounding waters running parallel to shore for 3 nautical miles from the high tide line designated by article 15 of Title 33, Code of Federal Regulations, on May 20, 2010, as the San Clemente Island NMN Safety Zone.

(a) Report.—

(1) Report required.—Not later than 270 days after the date of enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics, in conjunction with the assistant secretaries responsible for installations and environment for the military services and the Defense Logistics Agency, shall submit to the Congress a report detailing the efforts to achieve cost savings at military installations with high energy costs.

(2) Report required under paragraph (1) shall include the following elements:

(A) A comprehensive, installation-specific assessment of current and mission-specific energy initiatives to support energy production and consumption at military installations with high energy costs.

(B) An explanation on how military services are working collaboratively in order to leverage lessons learned on potential energy efficiency solutions.

(C) An assessment of extent to which activities administered under the Federal Energy Management Program could be used to support the installation strategy.

(F) An assessment of State and local partnerships that could achieve efficiency and cost savings, and any legislative authorities required to carry out such partnerships or agreements.

(b) Coordinate with State and Local Entities.—In preparing the report required under paragraph (1), the Under Secretary may work in conjunction and coordination with the States containing areas of high energy costs, local communities, and other Federal departments and agencies.

(3) Coordinate with State and Local Entities.—In preparing the report required under paragraph (1), the Under Secretary may work in conjunction and coordination with the States containing areas of high energy costs, local communities, and other Federal departments and agencies.

(b) Coordinate with State and Local Entities.—In preparing the report required under paragraph (1), the Under Secretary may work in conjunction and coordination with the States containing areas of high energy costs, local communities, and other Federal departments and agencies.

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(3) Coordinate with State and Local Entities.—In preparing the report required under paragraph (1), the Under Secretary may work in conjunction and coordination with the States containing areas of high energy costs, local communities, and other Federal departments and agencies.
Staff of the Air Force and the Director of the Air National Guard or the Chief of Air Force Reserve;''; and

(b) in paragraph (3), by striking "depot'';

(2) amending subsection (b) to read as follows—

"(b) SUBMITTAL OF AGREEMENTS TO THE DEPARTMENT OF DEFENSE AND CONGRESS.—The Secretary of the Air Force may not take any action to transfer an aircraft until the Secretary ensures that the Air Force has complied with applicable Department of Defense regulations and, for any transfer described in subsection (c)(1), until the Secretary submits to the congressional defense committees an agreement entered into pursuant to subsection (a) regarding the transfer of the aircraft;''; and

(3) by adding at the end the following new subsections:

"(c) COVERED AIRCRAFT TRANSFERS.—(1) An aircraft transfer described in this subsection is the transfer (other than as specified in paragraph (2)) from a reserve component of the Air Force to the regular component of the Air Force of—

(A) the permanent assignment of an aircraft that terminates a reserve component's equitable interest in the aircraft; or

(B) possession of an aircraft for a period in excess of 90 days.

(2) Paragraph (1) does not apply to the following:

(A) A routine temporary transfer of possession of an aircraft from a reserve component that is provided for the benefit of the reserve component for the purpose of maintenance, upgrade, conversion, modification, or testing and evaluation.

(B) A routine permanent transfer of assignment of an aircraft that terminates a reserve component's equitable interest in the aircraft if notice of the transfer has previously been provided to the congressional defense committees and the transfer has been approved by the Secretary of Defense pursuant to Department of Defense regulations.

(C) A transfer described in paragraph (1)(A) when there is a reciprocal permanent assignment of an aircraft from the regular component to the reserve component that does not deplete the capability of, or reduce the total number of, aircraft assigned to the reserve component.

(3) AIRCRAFT AFTER PENDING TEMPORARY TRANSFER.—In the case of an aircraft transferred from a reserve component of the Air Force to the regular component of the Air Force, pursuant to an agreement required by subsection (c)(1) that may not be required by reason of subparagraph (A) of subsection (c)(2), possession of the aircraft shall be transferred back to the reserve component upon completion of the work described in such subparagraph.

(b) CONFORMING AMENDMENT.—Subsection (a)(7) of section 465(b)(1) of title 10, United States Code, is amended by striking "Chief of Air Force Reserve" and inserting "Chief of Air Force Reserve".

(c) TECHNICAL AMENDMENTS TO DELETE REFERENCES TO AIRCRAFT OWNERSHIP.—Subsection (a) of such section is further amended by striking "the ownership of" each place it appears.

SEC. 342. LIMITATION ON USE OF FUNDS FOR DEPARTMENT OF DEFENSE SPONSORSHIPS, ADVERTISING, OR MARKETING ASSOCIATED WITH SPORTS-RELATED ORGANIZATIONS OR SPORTING EVENTS.

No amounts authorized to be appropriated for the Department of Defense by this Act or otherwise made available to the Department may be used for any sponsorship, advertising, or marketing, including advertising related to the support of military sport-related organization or sporting event until the Under Secretary of Defense for Personnel and Readiness, in consultation with the Director of the Accessions Policy—

(1) conducts a review of current contracts and task orders for such sponsorships, advertising, and marketing, and marketing associated with the regular and reserve components of the Armed Forces in order to assess—

(A) whether such sponsorships, advertising, and marketing are consistent with the recruiting objectives of the Department;

(B) whether consistent metrics are used to evaluate the effectiveness of each such activity in generating leads and recruit accesses; and

(C) whether the return on investment for such activities is consistent with the continuing use of Department funds for such activities; and

(2) submits to the Committees on Armed Services of the Senate and the House of Representatives a report that includes—

(A) a description of the actions being taken to coordinate efforts of the Department relating to such sponsorships, advertising, and marketing, and to minimize duplicative contracts for such sponsorships, advertising, and marketing, as applicable; and

(B) the number and dollar amount of contracts for advertising, and marketing, and to minimize duplicative contracts for such sponsorships, advertising, and marketing, as applicable; and

(3) by adding at the end the following new subsections:

"(C) The extent, if any, to which reductions in military and civilian end-strength in management or operational headquarters could be used to create, build, or fill shortfalls in force structure for operational units.

(E) The extent, if any, to which revisions are needed to the the Office of the Defense Official, Personnel Management Act, including requirements for officers to serve in joint billets, the number of qualifying billets, the rank structure in the joint billet, and the joint qualification requirement for officers to be promoted while serving for extensive periods in critical positions such as program managers of major defense acquisition programs, and officers in units of component forces supporting joint commands, in order to achieve efficiencies, provide promotion fairness, and equity, and to maintain the management of the Department of Defense.

(F) The structure and staffing of the Joint Staff and the number, structure, and staffing of the combatant commands and their subordinate service component commands, including, in particular—

(i) whether or not the staff organization of each such entity has documented and periodically validated requirements for such entity;

(ii) whether or not there are an appropriate number of combatant commands relative to the requirements of the National Security Strategy, the Quadrennial Review, and the National Military Strategy; and

(iii) whether or not opportunities exist to consolidate staff functions and services components into a single staff organization that provides the required functions, services, capabilities, and capacities to the Chairman of the Joint Chiefs of Staff and supported combatant commanders, and if so—

(iv) where in the organizational structure such staff functions, services, capabilities, and capacities would be established; and

(D) whether or not the military departments, the Defense Agencies, and the Office of the Secretary of Defense have duplicative staff functions and services and could be consolidated into a single service staff.

"(B) the extent, if any, to which the staff of the Secretary of the military departments and the chiefs of Staff of the Armed Forces have duplicative staff functions and services and could be consolidated into a single service staff.

(B) whether or not the staff organization of each such entity has documented and periodically validated requirements for such entity—

(i) to establish temporary or permanent subordinate joint commands or headquarters, including joint task forces, led by a general or flag officer, and the extent, if any, to which the combatant commands have used such authority—

(ii) to disestablish temporary or permanent subordinate joint commands or headquarters, including joint task forces, led by a general or flag officer;

(iii) to increase requirements for general and flag officers in the joint pool which are exempt from the end strength limitations otherwise applicable to general and flag officers in the Armed Forces.

"(D) By the Secretary of the Air Force, in consultation with the management of the joint officer qualification in order to ensure the efficient and effective quality and quantity of officers needed to staff headquarters, such as for the support of the services officers with required professional experience and skills necessary to remain
competitive for increased responsibility and authority through subsequent assignment or promotion, including by identifying—

(I) circumstances, if any, in which officers spend a disproportionate amount of time in their careers to attain joint officer qualifications with corresponding loss of opportunities to develop in the service-specific assignments and personal qualities needed to carry out the increased responsibilities and experience to qualify for service and command assignments; and

(II) circumstances, if any, in which the military departments detail officers to joint headquarters staffs in order to maximize the number of officers receiving joint duty credit with a focus on the quantity, instead of the quality, of officers achieving joint duty credit;

(v) to establish commanders’ strategic planning groups, advisory groups, or similar parallel personal staff entities that could risk isolating function and staff processes, including an assessment of the justification used to establish such personal staff organizations and their impact on the effectiveness and efficiency of organizational staff functions, services, capabilities, and capacities; and

(vi) to ensure the identification and management of officers serving or having served in units in subordinate service component or joint commands during combat operations and did not receive joint credit for such service.

(3) CONSULTATION.—The Secretary shall, to the extent practicable and as the Secretary considers appropriate, conduct the review required by paragraph (1) in consultation with such experts on matters covered by the review who are independent of the Department of Defense.

(4) REPORT.—Not later than March 1, 2016, the Secretary shall submit to the congressional defense committees a report setting forth the results of the review required by paragraph (1).

(b) PLAN ON REDUCTION IN AMOUNTS USED FOR ADMINISTRATION IN FISCAL YEARS 2016 THROUGH 2019.—

(1) IN GENERAL.—Not later than January 31, 2016, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the results of a review conducted by the Secretary of Defense to determine whether the amounts available for administration (in this paragraph referred to as the “fiscal year 2015 administration amount”) are—

(A) in fiscal year 2016, an amount that is 7.5 percent less than the amount authorized to be available for operation and maintenance, Defense-wide, and available for administration in the fiscal year 2015 administration amount (as determined in subsection (b)(1) during such fiscal year);

(B) in fiscal year 2017, an amount that is 15 percent less than the fiscal year 2015 administration amount.

(C) in fiscal year 2018, an amount that is 22.5 percent less than the fiscal year 2015 administration amount.

(D) in fiscal year 2019, an amount that is 30 percent less than the fiscal year 2015 administration amount.

(2) ACHIEVEMENT OF REDUCTIONS.—As part of meeting the requirements in paragraph (1), the plan shall provide for reductions in personnel (including military and civilian personnel of the Department of Defense and contract personnel in support of the Department) and facilities of the Secretary of Defense, the secretariats and military staffs of the military departments, the staffs of the Defense Agencies, the staffs of the Joint Staff, Combatant Commands, and the staffs of their subordinate service component commands.

(3) EXCLUSION.—The plan may not meet the requirements in paragraph (1) through reductions in funding for administration for the following:

(A) The United States Special Operations Command.

(B) The Department of Defense Education Activity.

(C) Any classified program.

(D) Any program relating to sexual assault prevention and response.

(e) COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than 30 days after the end of each of fiscal years 2016, 2017, 2018, and 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth the assessment of the Comptroller General of the extent to which the Department of Defense met the applicable requirement in subsection (b)(1) during such fiscal year.

(d) LIMITATION ON AVAILABILITY OF FUNDS.—For contract personnel support for fiscal years 2016 through 2020, amounts authorized to be appropriated for the Department of Defense for administration from amounts authorized for contract personnel in support of the Office of the Secretary of Defense may not be obligated or expended for contract personnel in support of the Office of the Secretary of Defense until the Secretary of Defense certifies to the congressional defense committees that the applicable requirement in subsection (b)(1) was met during the preceding fiscal year:

SEC. 352. ADOPTION OF RETIRED MILITARY WORKING DOGS FOR FORMER HANDLERS.—

(a) TRANSFER FOR ADOPTION.—Subsection (f) of section 2583 of title 10, United States Code, is amended in the matter preceding paragraph (1) by striking “shall transfer” and inserting “shall transfer”.

(b) PREFERENCE IN ADOPTION FOR FORMER HANDLERS.—Such section is further amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection (g):--

(‘‘(g) PREFERENCE IN ADOPTION OF RETIRED MILITARY WORKING DOGS FOR FORMER HANDLERS.—(1) In providing for the adoption under this section of a retired military working dog described in paragraph (1) or (3) of subsection (a), the Secretary of the military department concerned shall accord a preference to the former handler of the dog unless the Secretary determines that adoption of the dog by the former handler would not be in the best interest of the dog.

(2) In the case of a dog covered by paragraph (1) with more than one former handler seeking adoption of the dog at the time of adoption, the Secretary shall provide for the adoption of the dog by such former handler whose adoption of the dog will best serve the interests of the dog and such former handler.

(3) Nothing in this subsection shall be construed as altering, revising, or overriding any policy of the military department for the adoption of military working dogs by law enforcement agencies before the end of the dogs’ useful lives.’’).

SEC. 353. MODIFICATION OF REQUIRED REVIEW OF PROJECTS RELATING TO POTENTIAL OBSTRUCTIONS TO AVIATION.—


(1) in paragraph (3), by striking “from State and local officials or the developer of a renewable energy development or other energy project” and inserting “from a State government, an Indian tribal government, a local government, a landowner, or the developer of an energy project”;

(2) by inserting “readiness and” after “all that follow”; and

(3) in subsection (j), by adding at the end the following new paragraph:

“The term ‘landowner’ means a person or other legal entity that owns a fee interest in real property on which a proposed energy project is planned to be located.”.

SEC. 354. PILOT PROGRAM ON INTENSIVE INSTRUCTION IN CERTAIN ASIAN LANGUAGES.—

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may, in consultation with the National Security Education Board, carry out a pilot program to assess the feasibility and advisability of providing scholarships in accordance with the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902 et seq.) to individuals otherwise eligible for scholarships under that Act for intensive language instruction in a covered Asian language.

(b) COVERED ASIAN LANGUAGE.—For purposes of this section, a covered Asian language is any one of the five Asian languages that would be treated as a language in which deficiencies exist for purposes of section 802(a)(1A) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902(a)(2)(A)) if the National Security Education Board could treat an additional five Asian languages as a language in which such deficiencies exist.

(c) USE OF SCHOLARSHIPS.—Notwithstanding any provision of the David L. Boren National Security Education Act of 1991, a scholarship awarded pursuant to the pilot program may be used for intensive language instruction in—

(1) the United States; or

(2) a country in which the covered Asian language concerned is spoken by a significant portion of the population (as determined by the Secretary for purposes of the pilot program).

(d) NATIONAL SECURITY EDUCATION BOARD DETERMINATION.—In this section, the term “National Security Education Board” means the National Security Education Board established pursuant to section 803 of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902).

(e) TERMINATION.—No scholarship may be awarded under the pilot program after the date that is five years after the date on which the pilot program is established.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

(a) AUTHORIZED STRENGTHS.—The Secretary of Defense is authorized for active duty personnel as of September 30, 2016, as follows:

(1) The Army, 475,000.


(3) The Marine Corps, 184,000.


SEC. 402. ENHANCEMENT OF AUTHORITY FOR FISCAL YEAR 2016 END STRENGTHS FOR MILITARY PERSONNEL.

(a) REPEAL.—Section 691 of title 10, United States Code, is repealed.
(2) Clerical Amendment.—The table of sections at the beginning of chapter 39 of this title is amended by striking the item relating to section 691.

 SEC. 411. END STRENGTHS FOR SELECTED RESERVE

(a) In General.—The Armed Forces are authorized strengths prescribed in section 411(a), the operational support duty personnel.

(b) Service Secretary Authority.—Subsection (a) of such section is amended—

(A) in paragraph (1), by striking “increase” each place it appears and inserting “vary”;

(B) in paragraph (2), by striking “increase” each place it appears and inserting “variance”.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE

(a) In General.—The Armed Forces are authorized strengths prescribed in section 411(a), the operational support duty personnel.

(b) Service Secretary Authority.—Subsection (a) of such section is amended—

(A) in paragraph (1), by striking “increase” each place it appears and inserting “vary”;

(B) in paragraph (2), by striking “increase” each place it appears and inserting “variance”.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE

(a) In General.—The Armed Forces are authorized strengths prescribed in section 411(a), the operational support duty personnel.

(b) Service Secretary Authority.—Subsection (a) of such section is amended—

(A) in paragraph (1), by striking “increase” each place it appears and inserting “vary”;

(B) in paragraph (2), by striking “increase” each place it appears and inserting “variance”.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE

(a) In General.—The Armed Forces are authorized strengths prescribed in section 411(a), the operational support duty personnel.

(b) Service Secretary Authority.—Subsection (a) of such section is amended—

(A) in paragraph (1), by striking “increase” each place it appears and inserting “vary”;

(B) in paragraph (2), by striking “increase” each place it appears and inserting “variance”.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE

(a) In General.—The Armed Forces are authorized strengths prescribed in section 411(a), the operational support duty personnel.

(b) Service Secretary Authority.—Subsection (a) of such section is amended—

(A) in paragraph (1), by striking “increase” each place it appears and inserting “vary”;

(B) in paragraph (2), by striking “increase” each place it appears and inserting “variance”.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE

(a) In General.—The Armed Forces are authorized strengths prescribed in section 411(a), the operational support duty personnel.

(b) Service Secretary Authority.—Subsection (a) of such section is amended—

(A) in paragraph (1), by striking “increase” each place it appears and inserting “vary”;

(B) in paragraph (2), by striking “increase” each place it appears and inserting “variance”.
SEC. 502. MINIMUM GRADES FOR CERTAIN CORPS AND RELATED POSITIONS IN THE ARMY, NAVY, AND AIR FORCE.

(a) ARMY—

(1) CHIEF OF LEGISLATIVE LIASON.—Section 3032(a) of title 10, United States Code, is amended by striking ‘‘a grade above the grade of colonel’’ and inserting ‘‘the grade of major general’’ and inserting ‘‘a grade above the grade of colonel’’.

(2) ASSISTANT SUBORDINATE GENERAL.—Section 3069(b)(1) of such title is amended by striking the last sentence and inserting the following new sentence: ‘‘An officer appointed to that position shall be an officer in a grade above the grade of colonel.’’.

(3) CHIEF OF THE NURSE CORPS.—Section 3069(b) of such title is amended by striking ‘‘whose regular grade’’ and all that follows through ‘‘to that position shall be an officer in a grade above the grade of colonel.’’.

(b) NAVY—

(1) CHIEF OF LEGISLATIVE AFFAIRS.—Section 5027(a) of title 10, United States Code, is amended by striking ‘‘the grade of rear admiral’’ and inserting ‘‘a grade above the grade of captain.’’.

(2) CHIEF OF THE DENTAL CORPS.—Section 5138 of such title is amended—

(A) by striking subsections (a) and (b) and inserting the following new subsection (a):

‘‘(a) There is a Chief of the Dental Corps in the Department of the Navy. An officer assigned to that position shall be an officer in a grade above the grade of captain.’’;

(B) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(c) DIRECTORS OF MEDICAL CORPS.—Section 5150 of such title is amended—

(A) in the first sentence, by striking ‘‘for promotion’’ and all that follows through the end of sentence and inserting ‘‘a grade above the grade of captain’’;

(B) by inserting after the first sentence the following new sentence: ‘‘An officer so selected shall be an officer in a grade above the grade of captain.’’.

(c) AIR FORCE—

(1) CHIEF OF LEGISLATIVE LIASON.—Section 8023(a) of title 10, United States Code, is amended in the second sentence by striking ‘‘the grade of major general’’ and inserting ‘‘a grade above the grade of colonel’’.

(2) CHIEF OF THE NURSE CORPS.—Section 8069(b) of such title is amended by striking ‘‘whose regular grade’’ and all that follows through ‘‘major general,’’ and inserting ‘‘an officer appointed to that position shall be an officer in a grade above the grade of colonel.’’.

(3) ASSISTANT SUBORDINATE GENERAL FOR DENTAL SERVICES.—Section 8081 of such title is amended by striking the second sentence and inserting the following new sentence: ‘‘An officer appointed to that position shall be an officer in a grade above the grade of colonel.’’.

(d) TRANSITION.—In the case of an officer who on the date of the enactment of this Act is serving in a position that is covered by an amendment made by this section, the continued service of that officer in such position after the date of the enactment of this Act shall not be affected by that amendment.

SEC. 503. ENHANCEMENT OF MILITARY PERSONNEL IN ACQUISITION WITH THE DEFENSE ACQUISITION WORKFORCE.

(a) INCLUSION OF ACQUISITION MATTERS WITHIN JOINT MATTERS FOR OFFICERS MANAGING—

(1) JOINT MATTERS.—Subsection (a)(1) of section 688 of title 10, United States Code, is amended—

(A) in subparagraph (D), by striking ‘‘or’’ at the end;

(B) in subparagraph (E), by striking the period at the end and inserting ‘‘and joint professional military education’’;

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

‘‘(f) Acquisition addressed by military personnel described in section 2151 of this title.’’;

(2) JOINT DUTY ASSIGNMENT.—Subsection (b)(1)(A) of such section is amended by striking ‘‘limited to assignments in which’’ and all that follows and inserting ‘‘limited to—

(i) assignments in which the officer gains significant experience in joint matters; and

(ii) assignments pursuant to chapter 67 of this title and section 2151 of this title, respectively.’’;

(b) REQUIREMENTS FOR MILITARY PERSONNEL IN THE ACQUISITION FIELD.—

(A) CONSIDER CHIEFS IN POLICIES AND GUIDANCE.—Subsection (a) of section 1722a of title 10, United States Code, is amended by inserting after ‘‘such military departments, by consultation with the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of the Air Force, and the Commandant of the Marine Corps (with respect to the armed force under the jurisdiction of each)’’ the following:

‘‘(1) joint professional military education’’;

(B) JOINT PLANNING AT ALL LEVELS OF WAR.—Subsection (b)(1) of such section is amended—

(A) by striking the section caption, by inserting ‘‘FOR ACQUISITION WITHIN JOINT MATTERS FOR OFFICER MANAGEMENT’’ and all that follows through ‘‘to that position shall be an officer in a grade above the grade of major general’’.

(2) JOINT PROFESSIONAL MILITARY EDUCATION PHASE II.—Section 2155 of such title is amended—

(A) in subsection (b)—

(i) by inserting ‘‘(FOR JOINT MILITARY SUBJECTS) after ‘‘Phase II Requirements’’ and all that follows through ‘‘to that position shall be an officer in a grade above the grade of major general’’.

(ii) by striking the second sentence and inserting ‘‘who on the date of the enactment of this Act is serving in a position that is covered by an amendment made by this section, the continued service of that officer in such position after the date of the enactment of this Act shall not be affected by that amendment.’’.

(iii) by striking ‘‘as subsections (b) and (c), respectively.’’

(B) JOINT PROFESSIONAL MILITARY EDUCATION PHASE III.—Section 2156 of such title is amended by inserting after ‘‘phase III’’ the following:

‘‘(4) JOINT PROFESSIONAL MILITARY EDUCATION FOR JOINT MILITARY SUBJECTS’’ after ‘‘FOR JOINT MILITARY SUBJECTS’’; and

(C) ANNUAL REPORT ON PROMOTION RATES FOR OFFICERS IN ACQUISITION POSITIONS.—(1) Not later than January 1 each year, the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps shall each submit to Congress a report on the promotion rates during the preceding fiscal year of officers who are serving in, or have served in, positions covered by chapter 67 of this title, and officers who have been certified under that section as meeting the grades specified in paragraph (2). If promotion rates for any such grade of officers failed to meet the standards described in paragraph (2) in the report submitted in a fiscal year for which the standards were not met, the Secretary of the armed force concerned shall include in the report for such fiscal year information on the reasons for the failure and on the actions taken or to be taken by such chief to prevent further such failures.
“(a) AUTHORITY.—Section 1233 of title 10, United States Code, is amended—

(1) in subsection (b), by striking “(2) that person is authorized to enlist by

(b) CONFORMING AMENDMENTS.—

(1) Heading.—The heading of such section is amended by striking “exception” and inserting “exceptions”

(2) Table of sections.—The table of sections at the beginning of chapter 63 of such title is amended in the item relating to section 1233 by striking “exception” and inserting “exceptions”.

SEC. 506. REINSTATEMENT OF ENHANCED AUTHORITY FOR SELECTIVE EARLY DISCHARGE OF WARRANT OFFICERS.

Section 580a of title 10, United States Code, is amended—

(1) in subsection (a), by striking “November 30, 1993, and ending on October 1, 1999” and inserting “October 1, 2013, and ending on October 1, 2019”;

(2) in subsection (c)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

SEC. 507. AUTHORITY TO CONDUCT WARRANT OFFICER RETIRED GRADE DETERMINATION PROCEDURES.

Section 1371 of title 10, United States Code, is amended—

(1) by inserting “highest” after “in the”; and

(2) by striking “that he held on the day before the date of his retirement, or in any higher warrant officer grade”.

Subtitle II—Reserve Component Management

SEC. 511. AUTHORITY TO DESIGNATE CERTAIN RESERVE OFFICERS AS NOT TO BE CONSIDERED FOR SELECTION FOR PROMOTION.

Section 14301 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(c) No warrant officer of the Army, Navy, or Air Force commanders of the Army, Navy, or Air Force, or a warrant officer commanding a unit of the Army, Navy, or Air Force, who is designated under this section, shall be considered for selection for promotion at any time the officer otherwise would be so considered. Any such officer may remain on the reserve active-status list.”.
PART II—OTHER MATTERS

SEC. 536. REPEAL OF STATUTORY SPECIFICATION OF MINIMUM DURATION OF IN-RESIDENCE INSTRUCTION AS PART OF PHASE II JOINT PROFESSIONAL MILITARY EDUCATION.

(a) REPEAL OF STATUTORY REQUIREMENT FOR IN-RESIDENCE INSTRUCTION.—Section 2154(a)(2)(A) of title 10, United States Code, is amended by striking ‘‘taught in residence at’’ and inserting ‘‘offered through’’.

(b) REPEAL.—Section 2156 of such title is repealed.

SEC. 537. QUALITY ASSURANCE OF CERTIFICATION PROGRAMS AND STANDARDS FOR PROFESSIONAL CREDENTIALS OBTAINED BY MEMBERS OF THE ARMED FORCES.


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

(2) by inserting after subsection (b) the following new subsection (c):

‘‘(c) QUALITY ASSURANCE OF CERTIFICATION PROGRAMS AND STANDARDS.—(1) Commencing not later than three years after the date of enactment of this section, the Secretary concerned shall ensure that any accreditation bodies specified in this paragraph are accredited by an accreditation body that meets the requirements specified in paragraph (2).

(2) The requirements for accreditation bodies specified in this paragraph are requirements that an accreditation body—

(A) be an independent body that has, in place mechanisms to ensure objectivity and impartiality in its accreditation activities; and

(B) meet a recognized national or international standard that directs its policy and procedures regarding certification.

(C) apply a recognized national or international certification standard in making its accreditation decisions regarding certification bodies and programs;

(D) conduct on-site visits, as applicable, to verify the documents and records submitted by credentialing bodies for accreditation;

(E) have in place policies and procedures to ensure due process when addressing complaints and appeals regarding its accreditation activities;

(F) conduct regular training to ensure consistent and reliable decisions among reviewers conducting accreditations; and

(G) meet such other criteria as the Secretary concerned considers appropriate in order to ensure quality in its accreditation activities.

(2) SUPPORT SERVICES.—

(A) AUTHORITY.—

(i) The Secretary concerned shall ensure the provision of such services is essential for the support of the athletic and physical fitness programs of the Academy.

(ii) SUPPORT SERVICES DEFINED.—In this subsection, the term ‘‘support services’’ includes utilities, office furnishings and equipment, communications services, records staging and archiving, audio and video support, and security systems in conjunction with the leasing or licensing of property.

(B) ACCEPTANCE OF SUPPORT.—

(i) The term ‘‘support’’ means—

(I) housing for Association personnel on United States Army Garrison, West Point, New York; and

(II) Support services described in paragraphs (1) and (3) of section 2154(a)(2) of title 10, United States Code, except that educational assistance allowance under chapter 33 of title 38, United States Code, is amended by adding at the end the following new paragraph:

‘‘(3) an educational assistance allowance under chapter 33 of title 38.’’

SEC. 538. SUPPORT FOR ATHLETIC PROGRAMS OF THE UNITED STATES MILITARY ACADEMY.

(a) AMENDMENTS.—

(i) Definition.—In this section, the term ‘‘support’’ includes—

(A) contractual or cooperative agreements entered into by the Secretary concerned for the support of the athletic and physical fitness programs of the Academy.

(B) Establishment contracts for the support of the athletic and physical fitness programs of the Academy.

(C) ACCEPTANCE OF SUPPORT.—

(i) SUPPORT RECEIVED FROM THE ASSOCIATION.—Notwithstanding section 2154(a) of title 31, the Secretary may accept from the Association contracts or cooperative agreements for the support of the athletic and physical fitness programs of the Academy. Notwithstanding section 2304(k) of this title, the Secretary may enter into contracts or cooperative agreements on a sole source basis pursuant to section 2304(c)(6) of this title. Notwithstanding section 2304(a) of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the Academy.

(ii) OTHER SUPPORT.—

(A) In this section, the term ‘‘support’’ includes—

(i) financial contributions to the Academy, and

(ii) any other provision of this chapter, during the period beginning on the date of the enactment of this Act and ending on the date that is four years after the date of the enactment of that Act.

(B) LIMITATION.—

(i) IN GENERAL.—The table of sections at the beginning of chapter 107 of such title is amended by adding the following new section:

‘‘(1) R EPEAL.—Section 107 of such title is repealed.

(ii) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 107 of such title is amended by striking the item relating to section 2156.

(2) SEC. 538. SUPPORT FOR ATHLETIC PROGRAMS OF THE UNITED STATES MILITARY ACADEMY. The term ‘‘support’’ includes—

(A) contracts and cooperative agreements entered into by the Secretary concerned for the support of the athletic and physical fitness programs of the Academy.

(B) Establishment contracts for the support of the athletic and physical fitness programs of the Academy.

(C) LIMITATION.—The Secretary is not authorized to acquire property or services for the direct benefit or use of the Academy.''

SEC. 539. SENSE OF CONGRESS ON TRANSFERABILITY OF UNUSED EDUCATION BENEFITS TO FAMILY MEMBERS.

(a) IN GENERAL.—It is the sense of Congress that each Secretary concerned should—

(1) exercise the authority in section 3319(a) of title 38, United States Code, relating to the transferability of unused education benefits to family members, in a manner that encourages the retention of individuals in the Armed Forces; and

(2) be more selective in permitting such transferability.

(b) DEFINITIONS.—In this section, the terms ‘‘Armed Forces’’ and ‘‘Secretary concerned’’ have the meaning given such terms in section 101 of title 38, United States Code.

SEC. 540. NO ENTITLEMENT TO UNEMPLOYMENT COMPENSATION WHILE RECEIVING POST-9/11 EDUCATION ASSISTANCE.

Section 832(b) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking ‘‘or’’ after the semicolon;

(2) in paragraph (2), by striking the period and inserting ‘‘; or’’; and

(3) by adding at the end the following new paragraph:

‘‘(3) an educational assistance allowance under chapter 33 of title 38.’’

SEC. 541. REPORTS ON EDUCATIONAL LEVELS ATTAINED BY CERTAIN MEMBERS OF THE ARMED FORCES AT TIME OF SEPARATION FROM THE ARMED FORCES.

(a) ANNUAL REPORTS REQUIRED.—Each Secretary concerned shall submit to Congress each year a report on the educational levels attained by members of the Armed Forces described in subsection (b) under the jurisdiction of such Secretary who separated from the Armed Forces during the preceding year.

(b) COVERED MEMBERS.—The members of the Armed Forces described in this subsection are members of the Armed Forces who transferred unused education benefits to family members pursuant to section 3319 of title 38, United States Code, while serving as members of the Armed Forces.

(c) SECRETARY CONCERNED DEFINED.—In this section, the term ‘‘Secretary concerned’’ has the meaning given that term in section 101 of title 38, United States Code.
the ability of the Department of the Army, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner, or compromises the integrity of any program of the Department of the Army, or any individual involved in such a program.

(ii) Any remarks and service marks.—

(1) Licensing, marketing, and sponsor-ship agreements.—An agreement under subsection (a) may, consistent with section 2260 of this title, if entered into under this paragraph and subject to the approval of the Secretary of the Army, or any individual involved in the armed forces to carry out any responsibility or duty in a fair and objective manner, or compromises the integrity of any program of the Department of the Army, or any individual involved in such a program.

(2) Limitations.—No licensing, marketing, or sponsorship agreement may be entered into under paragraph (1) if—

(A) such agreement would reflect unfavorably on the ability of the Department of the Army, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner, or compromises the integrity of any program of the Department of the Army, or any individual involved in such a program.

(B) the Secretary determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Department of the Army, or any individual involved in such a program.

(3) Retention and use of funds.—

(1) In general.—Any funds received by the Secretary under this section other than money rentals received for property leased pursuant to section 2667 of this title shall be used by the Academy for one or more of the following purposes:

(A) To benefit participating cadets.

(B) To enhance the ability of the Academy to compete against other colleges and universities.

(2) Availability of funds.—Funds described in paragraph (1) shall remain available until expended.

(f) Service on association board of directors.—The Association is a designated entity for which authorization under sections 1583(a) and 1588(a) of this title may be provided.

(g) Conditions.—The authority provided in this section with respect to the Association is available only so long as the Association continues—

(1) to qualify as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code of 1986 and operates in accordance with this section, the law of the State of New York, and the constitution and bylaws of the Association; and

(2) to operate exclusively to support the athletic and physical fitness programs of the Academy.

(h) Association defined.—In this section, the term ‘Association’ means the Army West Point Athletic Association.

(i) Clerical amendment.—The table of sections at the beginning of chapter 48 of such title is amended by adding at the end the following new item:

‘‘4862. Support of athletic and physical fitness programs.’’

SEC. 319. ONLINE ACCESS TO THE HIGHER EDUCATION COMPONENT OF THE TRANSITION ASSISTANCE PROGRAM.

(a) Notice to program participants of availability of component online through the department of defense.—If a member of the Armed Forces, veteran, or dependent requests a certificate of eligibility from the Secretary of Veterans Affairs to prove the eligibility of the veteran, member, or dependent, as the case may be, for educational assistance under chapter 33 of title 38, United States Code, the Secretary shall notify the member, veteran, or dependent of the availability of the higher education component of the Transition Assistance Program (‘‘TAP’’) of the eBenefits Internet website of the Department of Defense.

(b) Availability of component online through the Department of Veterans Affairs.—

(1) In general.—The Secretary of Defense shall, in collaboration with the Secretary of Veterans Affairs, assess the feasibility of—

(A) providing access for veterans and dependents to the higher education component of the Transition Assistance Program on the eBenefits Internet website of the Department of Veterans Affairs; and

(B) tracking the completion of that component through that Internet website.

(2) Report to Congress.—The Secretary of Defense shall submit to Congress a report setting forth a description of the cost and length of time required to provide access and begin tracking completion of the higher education component of the Transition Assistance Program as described in paragraph (1).

SEC. 546. MODIFICATION OF RULE 284 OF THE MILITARY RULES OF EVIDENCE RELATING TO THE CORROBORATION REQUIREMENT FOR ADMISSION.

Not later than 180 days after the date of the enactment of this Act, Rule 284(c) of the Military Rules of Evidence shall be modified as follows:

(1) To provide that an admission or a confession of the accused may be considered as evidence against the accused on the question of guilt or innocence only if independent evidence, either direct or circumstantial, has been admitted into evidence which would tend to establish the truthfulness of the admission or confession.

(2) To provide that not every element or fact contained in the admission or confession must be independently proven for the admission or confession to be admitted into evidence in its entirety.

(3) To strike the rule that if independent evidence raises an inference of the truth of some but not all of the essential facts admitted, the confession or admission may be considered as evidence against the accused only with respect to those essential facts stated in the confession or admission that are corroborated by the independent evidence.

(4) With respect to the quantum of evidence necessary to corroborate an admission or confession to provide that the independent evidence need raise only an inference of the truth of the admission or confession.

SEC. 547. MODIFICATION OF RULE 104 OF THE RULES FOR COURTS-MARTIAL TO ESTABLISH CERTAIN PROHIBITIONS CONCERNING PROFESSIONAL EVALUATIONS OF SPECIAL VICTIMS’ COUNSEL.

Not later than 180 days after the date of the enactment of this Act, Rule 104(b) of the Rules for Courts-Martial shall be modified to provide that the prohibitions concerning evaluations established by that Rule shall apply to the assignment of a rating or evaluation to any member of the Armed Forces serving as a Special Victims’ Counsel because of the zeal with which such counsel represented a victim.

SEC. 548. RIGHT OF VICTIMS OF OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE TO TIMELY DISCLOSURE OF CERTAIN MATERIALS AND INFORMATION IN CONNECTION WITH THE PROSECUTION OF SUCH VICTIMS.

Section 806(a) of title 10, United States Code (article 62(a) of the Uniform Code of Military Justice), is amended—

(1) by redesignating paragraphs (3) through (8) as paragraphs (4) through (9), respectively; and

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

(3) The right to the timely disclosure by trial counsel to the victim (or the Special Victims’ Counsel if the victim is so represented) of the following:

(A) Any charges and specifications related to the offense.

(B) Any statement by the victim in connection with the offense that is in the possession of the government.

(C) Any portions relating to the victim in any report of an investigation of the offense that is in the possession of the government.

(F) In the event the staff judge advocate advises pursuant to section 834 of this title (article 34) that any charge or specification in connection with the offense not be referred for trial, the advice making such recommendation, with such advice to be so provided before the convening authority acts on the advice.

SEC. 549. ENFORCEMENT OF CERTAIN CRIME VICTIMS’ RIGHTS BY THE COURT OF CRIMINAL APPEALS.

Section 806(b) of title 10, United States Code (article 62(b) of the Uniform Code of Military Justice), is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

(d) Enforcement of certain rights by Court of Criminal Appeals.—(1)(A) If the victim of an offense under this chapter believes that a preliminary hearing ruling under section 832 of this title (article 32), or a court-martial ruling, violates the victim’s rights afforded by a section (article) or rule specified in paragraph (2), the victim may file an interlocutory appeal of such ruling by petitioning the Court of Criminal Appeals for an order to require the judge advocate conducting such preliminary hearing, or the court-martial, as the case may be, to comply with the section (article) or rule, as applicable.

(B) A victim of an offense under this chapter who is not a party to the appeal to a deposition notwithstanding the fact that the victim shall be available to testify at the court-martial of the offense may file an interlocutory appeal of such order by petitioning the Court of Criminal Appeals for an order to quash such order.

(C) The Court of Criminal Appeals shall provide a de novo review of the question or questions raised by a petition filed under this paragraph. A single judge or panel of judges shall take up and decide the petition within 72 hours after the petition is filed.

(2) Paragraph (1)(A) applies with respect to the protections afforded by the following:

(A) This section (article) or rule.

(B) Military Rule of Evidence 412, relating to the admission of evidence regarding a victim’s sexual background.

(C) Military Rule of Evidence 513, relating to the psychotherapist-patient privilege.

(D) Military Rule of Evidence 514, relating to the victim advocate-victim privilege.

(E) Military Rule of Evidence 615, relating to the exclusion of witnesses.

(F) The proceedings of a preliminary hearing under section 832 of this title (article 32), or a court-martial, may be stayed on subject to a continuance of more than five days for purposes of enforcing this subsection if the Court of Criminal Appeals denies the retention of the denial shall be clearly stated on the record in a written opinion.

"
SEC. 550. RELEASE TO VICTIMS UPON REQUEST OF COMPLETE RECORD OF PROCEEDINGS AND TESTIMONY OF CONVICTED PERSON IN CASES IN WHICH SENTENCES ADJUDGED CONVICTED PERSON INCLUDE PUNITIVE DISCHARGE.

(a) In General.—Section 854(e) of title 10, United States Code (article 54(e) of the Uniform Code of Military Justice), is amended—

(1) by inserting “(1)” after “(e)”; and

(2) in paragraph (1), as so designated, by inserting “or the victim requests such records” before the period at the end of the first sentence; and

(b) Effective Date.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to court-martial proceedings held on or after that date.

SEC. 551. REPRESENTATION AND ASSISTANCE OF VICTIMS BY SPECIAL VICTIMS COUNSEL IN QUESTIONING BY MILITARY CRIMINAL INVESTIGATORS.

Section 1044(e)(1) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3) A military criminal investigator seeking to question an individual eligible for the assistance of a Special Victims’ Counsel under this section shall inform the individual of the individual’s right to be represented by a Special Victims’ Counsel in connection with such questioning.

“(B) If an individual described in subparagraph (A) of this paragraph requests representation by a Special Victims’ Counsel, the military criminal investigator shall not proceed with the questioning described in such subparagraph—

“(i) a Special Victims’ Counsel shall represent and assist the individual during and in connection with questioning; and

“(ii) the military criminal investigator shall contact and question the individual only through the Special Victims’ Counsel representing the individual; and

“(iii) the military criminal investigation may not contact or question the individual without the consent of such Special Victims’ Counsel.

“(C) Nothing in this paragraph confers any right on an accused under investigation.

“(D) The provisions of this paragraph shall not be a basis for the suppression of any statement of an individual described in subparagraph (A), or derivative evidence of such a statement, in a proceeding against a person accused with committing an offense against such individual.”.

SEC. 552. AUTHORITY OF SPECIAL VICTIMS’ COUNSEL TO PROVIDE LEGAL CONSULTATION AND ASSISTANCE IN CONNECTION WITH VARIOUS GOVERNMENT PROCEEDINGS.

Section 1044(e)(b) of title 10, United States Code, is amended—

(1) by redesigning paragraph (9) as paragraph (8) and redesignating the following as paragraph (9):

“(9) Legal consultation and assistance in connection with—

“(A) any complaint against the Government, including an allegation under review by an inspector general and a complaint regarding equal employment opportunities;

“(B) any request to the Government for information, including a request under section 555a(b)(3) of title 10, United States Code, to as a ‘Freedom of Information Act request’; and

“(C) any correspondence or other communications with Congress.

“(b) Effect of Clause.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to proceedings held on or after that date.

SEC. 553. ESTABLISHMENT OF CONFIDENTIALITY OF RESTRICTED REPORTING OF SEXUAL ASSAULT IN THE MILITARY.

(a) PREEMPTION OF STATE LAW TO ENSURE CONFIDENTIALITY.—Section 1044(e) of title 10, United States Code, is amended by adding at the end the following new subsection:

“(4) Records given to a victim under this section shall be given only to the extent permitted by the victim or when disclosure is otherwise required by law.

“(b) Effective Date.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to court-martial proceedings held on or after that date.

SEC. 554. ABOLISHMENT OF DEFENSE ADVISORY COMMITTEE ON INVESTIGATIONS, PROSECUTION, AND JUDICIAL REVIEW OF SEXUAL ASSAULT IN THE ARMY FORCES.


SEC. 556. COMPTROLLER GENERAL OF THE UNITED STATES REPORTS ON PREVENTION AND RESPONSE TO SEXUAL ASSAULT IN THE NATIONAL GUARD AND THE ARMY RESERVE.

(a) Initial Report.—Not later than April 1, 2016, the Comptroller General of the United States shall submit to Congress a report on the preliminary assessment of the Comptroller General (made pursuant to a review conducted by the Comptroller General for purposes of this section) of the extent to which the Army National Guard and the Army Reserve—

(1) have in place policies and programs to prevent and respond to incidents of sexual assault involving members of the Army National Guard or the Army Reserve, as applicable;

(2) provide medical and mental health care services to members of the Army National Guard or the Army Reserve, as applicable, following a sexual assault; and

(3) have identified whether the nature of the service in the Army National Guard or the Army Reserve poses challenges to the prevention of or response to sexual assault.

(b) Additional Reports.— If after submitting the report required under section 556(a)(1) of this title, the Comptroller General makes additional assessments as a result of the review described in subsection (a), the Comptroller General shall submit to Congress such reports on such additional assessments as the Comptroller General considers appropriate.

SEC. 557.SENSE OF CONGRESS ON THE SERVICE OF MILITARY VICTIMS AND ON SENTENCING RETIREMENT-ELIGIBLE MEMBERS OF THE ARMED FORCES.

(a) Finding.—Congress makes the following findings:

(1) Military families serve alongside their member of the Armed Forces, enduring hardships, lending support, and contributing to the member’s career. These family members endure frequent moves, long periods of separation, and other unique hardships associated with military life.

(2) Innocent family members are sometimes inadvertently punished when the member they depend on forfeits retirement eligibility due to a court-martial sentence.

(3) When a retirement-eligible member forfeits retirement eligibility, that member’s innocent family members lose the security of benefits they had planned for and helped earn.
(4) Military juries may choose to impose unjustly light sentences on convicted members out of concern for the innocent family members when a just sentence would require stripping the member of retirement eligibility.

(b) SENATE OF CONGRESS.—It is the sense of Congress—

(1) that military juries should not face the difficult choice between imposing a fair sentence or protecting the benefits of a member of the Armed Forces for the sake of innocent family members;

(2) that innocent military family members of retirement-eligible members should not be made to forgo benefits they have sacrificed for and are entitled to by law; and

(3) to welcome the opportunity to work with the Department of Defense to develop the necessary laws and regulations to improve the military justice system and to protect the benefits that military families have helped earn.

Subtitle F—Defense Dependents Education and Military Family Readiness

SEC. 561. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES TO SUPPORT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE EMPLOYEES.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2016 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 301, $25,000,000 shall be available for assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7713b).

(b) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ‘local educational agency’ means—


SEC. 562. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.

Of the amount authorized to be appropriated for fiscal year 2016 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 301, $5,000,000 shall be available for payments under section 363 of the Lloyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 20 U.S.C. 7703b).

SEC. 563. AUTHORITY TO USE APPROPRIATED FUNDS TO SUPPORT DEPARTMENT OF DEFENSE STUDENT MEAL PROGRAMS IN DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS LOCATED OUTSIDE THE UNITED STATES.

(a) AUTHORITY.—Section 2243 of title 10, United States Code, is amended—

(1) by inserting the following new subsection in part I—

(2) by striking ‘‘the defense dependents’’ and inserting ‘‘overseas defense dependents’’; and

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

‘‘(e) OVERSEAS DEFENSE DEPENDENTS’ SCHOOLS.—In this section, ‘‘overseas defense dependents’’ school means the following:

‘‘(1) A school established as part of the defense dependents’ education system provided for under the Defense Dependents’ Education Act of 1978 (20 U.S.C. 921 et seq.).

‘‘(2) An elementary or secondary school established pursuant to section 2164 of this title that is located in a territory, commonwealth, or possession of the United States.’’.

(b) CONFORMING AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended by inserting ‘‘defense’’ after ‘‘overseas’’.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 1 of title 10 of such title is amended in the item relating to section 2243 by inserting ‘‘defense’’ after ‘‘overseas’’.

SEC. 564. BIENNIAL SURVEYS OF MILITARY DEPENDENTS ON MILITARY FAMILY READINESS MATTERS.

(a) BIENNIAL SURVEYS REQUIRED.—The Director of the Office of Family Policy of the Department of Defense shall undertake every other year a survey of adult dependents of members of the Armed Forces on the matters specified in subsection (b). Participation by dependents in the survey shall be voluntary.

(b) MATTERS.—The matters specified in this subsection are the following:

(1) Mental health of dependents of members of the Armed Forces.

(2) Incidence of drug and alcohol and suicidal ideation among dependents of members of the Armed Forces.

(3) Incidence of divorce among dependents of members of the Armed Forces.

(4) Incidence of spousal abuse, child abuse, sexual assault, and harassment among dependents of members of the Armed Forces.

(5) Financial health and financial literacy of military families.

(6) Employment and education of dependents of members of the Armed Forces.

(7) Adequacy of education and child care for dependents of members of the Armed Forces.

(8) Quality of programs for military families.

(9) Such other matters relating to military family readiness as the Director considers appropriate.

Subtitle G—Miscellaneous Reporting Requirements

SEC. 571. EXTENSION OF SEMIANNUAL REPORTS ON THE INVOLUNTARY SEPARATION OF MEMBERS OF THE ARMED FORCES.

Section 525(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 77 Stat. 1734) is amended by—

(1) by striking ‘‘calendar years 2013 and 2014’’ and ‘‘each of calendar years 2013 through 2017’’.

SEC. 572. REMOTELY PILOTED AIRCRAFT CADET FIELD MANNING SHORTFALLS.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for operation and maintenance for the Office of the Secretary of the Air Force, not more than 85 percent may be obligated or expended until a period of 15 days has elapsed following the date on which the Secretary of the Air Force submits to the congressional defense committees the report described in subsection (b).

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on remotely piloted aircraft career field manning levels and actions the Air Force will take to rectify personnel shortfalls.

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

(A) A description of current and projected manning requirements and inventory levels for remotely piloted aircraft systems.

(B) A description of rated and non-rated officer and enlisted personnel policies for authorization and inventory levels in effect for remotely piloted aircraft systems and units, to include whether remotely piloted aircraft duty is considered as ‘‘consumer education’’ in the Specialty Code or treated as an ancillary single assignment duty, and if both are used, the division of authorizations between personnel assigned personnel for those who will return to a different primary career field.

(C) Comparisons to other Air Force manned combat aircraft systems and units with respect to personnel policies, manpower authorization levels, and projected personnel inventory.

(D) Identification and assessment of mitigation actions to increase unit manning levels, including recruitment and retention bonuses, incentive pay, use of enlisted personnel, and increased weighting to remotely piloted aircraft personnel on promotion boards, and to ensure the house for remotely piloted aircraft personnel is sufficient to meet increased manning demands.

(E) Analysis demonstrating the requirements determination for how remotely piloted aircraft pilot and pilot career fields are selected, including whether individuals are prior rated or non-rated qualified, what pre-requisite training or experience is necessary, if required, and types and advanced qualification training for each mission design series of remotely piloted aircraft in the Air Force inventory.

(F) Recommendations for changes to existing legislation required to implement mitigation actions.

(G) An assessment of the authorization levels of government civilian and contractor support required for sufficiency of remotely piloted aircraft career field manning.

(H) A description and associated timeline of actions the Air Force will take to increase remotely piloted aircraft career field manpower authorizations and manning levels to at least the equal of the normative levels of manning and readiness of all other combat aircraft career fields.

(I) A description of any other matters concerning remotely piloted aircraft career field manning levels the Secretary of the Air Force determines to be appropriate.

Subtitle H—Other Matters

PART I—FINANCIAL LITERACY AND PREPAREDNESS OF MEMBERS OF THE ARMED FORCES

SEC. 581. IMPROVEMENT OF FINANCIAL LITERACY AND PREPAREDNESS OF MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Section 992 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ‘‘consumer education’’ and inserting ‘‘financial literacy training’’;

(b) in paragraph (1), by striking ‘‘educational assistance program’’ and inserting ‘‘financial literacy training program’’;
SEC. 583. SENSE OF CONGRESS ON FINANCIAL LITERACY AND PREPAREDNESS TRAINING OF MEMBERS OF THE ARMED FORCES.

It is the sense of Congress that—

(1) the Secretary of Defense should strengthen arrangements with other departments and agencies of the Federal Government, as well as with nonprofit organizations, in order to improve the financial literacy and preparedness training of members of the Armed Forces; and

(2) the Chairman of the Joint Chiefs of Staff and the Chiefs of Staff of the Armed Forces should provide support for the financial literacy and preparedness training carried out under section 992 of title 10, United States Code (as amended by section 581 of this Act).

PART II—OTHER MATTERS

SEC. 586. AUTHORITY FOR APPLICATIONS FOR CORRECTION OF MILITARY RECORD TO BE INITIATED BY THE SECRETARY CONCERNED.

Section 1529(b) of title 10, United States Code, is amended by—

(a) in subsection (a), by striking—

"(1) O VERSIGHT OF YELLOW RIBBON REINTEGRATION PROGRAM.—Paragraph (1) of section 992 of title 10, United States Code, is amended—"

and inserting—

"(1) O VERSIGHT OF YELLOW RIBBON REINTEGRATION PROGRAM.—Paragraph (1) of section 992 of title 10, United States Code, is amended—"

(b) in subsection (b), by striking—

"(2) GRANTS.—The Office for Reintegration Programs may make grants to conduct data research, analysis, and curriculum development, and to prepare reports, in support of activities under this section." and inserting—

"(2) GRANTS.—The Office for Reintegration Programs may make grants to conduct data research, analysis, and curriculum development, and to prepare reports, in support of activities under this section.".
(e) DUE DATE OF ADVISORY BOARD ANNUAL REPORT.—Subsection (e)(4) of such section is amended by striking “March” and inserting “April”.

(I) REPORT TRAMS.—Subsection (f) of such section is amended—

(1) in the matter preceding paragraph (1), by striking “administer the Yellow Ribbon Reintegration Program at the State level and inserting “support and assist State National Guard and Reserve organization reintegration efforts”; and

(2) by amending paragraph (1) to read as follows:

“(1) to provide reintegration curriculum and information;”

(g) OPERATION OF PROGRAM.—

(1) ENHANCED FLEXIBILITY.—Subsection (g) of such section is amended to read as follows:

“(g) OPERATION OF PROGRAM.—

(1) IN GENERAL.—The Office for Reintegration Programs shall assist State National Guard and Reserve organizations with the development and provision of information, events, and activities to support the health and well-being of eligible individuals before, during, and after periods of activation, mobilization, or deployment.

(2) FOCUS OF INFORMATION, EVENTS, AND ACTIVITIES.—

(A) BEFORE ACTIVATION, MOBILIZATION, OR DEPLOYMENT.—Before such a period, the information, events, and activities described in paragraph (1) should focus on preparing eligible individuals and affected communities for the rigors of activation, mobilization, and deployment.

(B) DURING ACTIVATION, MOBILIZATION, OR DEPLOYMENT.—During such a period, the information, events, and activities described in paragraph (1) should focus on—

(i) helping eligible individuals cope with the challenges and stress associated with such period;

(ii) addressing the isolation of eligible individuals during such period; and

(iii) preparing eligible individuals for the challenges associated with reintegration.

(C) AFTER ACTIVATION, MOBILIZATION, OR DEPLOYMENT.—After such a period, the information, events, and activities described in paragraph (1) should focus on—

(i) assisting eligible members with their families, friends, and communities;

(ii) providing information on employment opportunities;

(iii) helping eligible individuals deal with the challenges of reintegration;

(iv) ensuring that eligible individuals understand what benefits they are entitled to and what resources are available to help them overcome the challenges of reintegration; and

(v) providing a forum for addressing negative behaviors related to operational stress and reintegration.

(3) MEMBER PAY.—Members shall receive appropriate pay for days spent attending such events and activities.

(4) MINIMUM NUMBER OF EVENTS AND ACTIVITIES.—State National Guard and Reserve organizations shall provide eligible individuals with—

(A) one event or activity before a period of activation, mobilization, or deployment; and

(B) one event or activity during a period of activation, mobilization, or deployment; and

(C) two events or activities after a period of activation, mobilization, or deployment.

(2) ENSURING ACCESS TO SERVICES.—Such section is further amended to read as follows:

“A. one event or activity before a period of activation, mobilization, or deployment; and

B. one event or activity during a period of activation, mobilization, or deployment; and

C. two events or activities after a period of activation, mobilization, or deployment.”

(i) by striking “well-being through the 4 phases” through the end of the subsection and inserting “well-being”;”

(C) in subsection (d)(2)(C), by striking “throughout the deployment cycle described in subsection (g)” and

(D) in subsection (f), by striking “STATE DEPLOYMENT CYCLE’’ in the subsection heading.

(b) ADDITIONAL PERMITTED OUTREACH SERVICES.—Subsection (b) of such section is amended by adding at the end the following new paragraph:

“(16) Stress management and positive coping skills.”

(j) TECHNICAL AMENDMENTS.—Such section is further amended by striking paragraph (1) in subsection (d)(1)(B), by striking “Substance Abuse and the Mental Health Services Administration” and inserting “Substance Abuse and Mental Health Services Administration”; and

(2) in subsection (e)(3)(C), by striking “Office of Reintegration Programs” and inserting “Office for Reintegration Programs.”

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Congress, in a report entitled “Report on the Implementation of the Reintegration Act”:

(1) a summary of the requirements of this Act and the extent to which the requirements have been met; and

(2) an assessment of the effectiveness of efforts to meet the requirements of this Act, including a summary of the number of eligible individuals served, a description of the number of eligible individuals who were served, and a description of the number of eligible individuals who were not served, and an assessment of the reasons for the failure and of the actions being taken to overcome the failure.

(c) COLLECTION OF AMOUNTS.—

(1) IN GENERAL.—The Secretary may collect from civilian employees of the Department of Defense and contractor personnel of the Department who are issued a replacement card under subsection (a) a fee of $25 for the issuance of cards without the assignment of additional personnel for that purpose.

(2) TREATMENT OF AMOUNTS.—The Secretary shall deposit amounts collected under this subsection to the account or accounts provided for in subsection (a).

(d) RECOGNITION OF SERVICE ID CARDS FOR REDUCED PRICES OF SERVICES, CONSUMER PRODUCTS, AND PHARMACEUTICALS.—The Secretary of Defense may work with national retail chains that offer reduced prices on services, consumer products, and pharmaceuticals to veterans to ensure that such retail chains recognize cards issued under subsection (a) for purposes of offering reduced prices on services, consumer products, and pharmaceuticals.

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

SEC. 591. REVISED POLICY ON NETWORK SERVICES FOR MILITARY SERVICES.

(a) ESTABLISHMENT OF POLICY.—It is the policy of the United States that the Secretary of Defense shall minimize and reduce, to the maximum extent practicable, the number of uniformed military personnel providing network services to military installations within the United States.

(b) PROHIBITION.—Except as provided in subsection (c), each military service shall be responsible for using military personnel to provide network services to military installations within the United States 2 years after the date of the enactment of this Act.

(c) EXCEPTION.—Nothing in subsection (b) shall be construed as prohibiting the use of military personnel providing network services in support of combat or other special operations, the intelligence community, or the United States Cyber Command, including training for combat, special operations, or other purposes.

(d) WAIVER.—The Secretary of Defense or the Chief Information Officer may waive the prohibition in subsection (b) if necessary for the safety of a member of the armed forces, or providing network services in support of a combat operation.
SEC. 603. EXTENSION OF AUTHORITY TO PROVIDE TEMORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING.

Section 403(b)(7)(E) of title 37, United States Code, is amended by striking “December 31, 2015” and inserting “December 31, 2016”.

SEC. 604. BASIC ALLOWANCE FOR HOUSING FOR MARRIED MEMBERS OF THE UNITED STATES ARMED FORCES ASSIGNED FOR DUTY WITHIN NORMAL COMMUTING DISTANCE AND FOR OTHER MEMBERS LIVING TOGETHER.

(a) BAH FOR MARRIED MEMBERS ASSIGNED FOR DUTY WITHIN NORMAL COMMUTING DISTANCE.—In the event two members of the uniformed services entitled to receive a basic allowance for housing under this section are married to each other and are assigned for duty within the same commuting distance, basic allowance for housing under this section shall be paid only to the member having the higher pay grade, or to the member having rank in grade if both members have the same pay grade, and at the rate payable to members of such pay grade with dependents (regardless of whether or not such members have dependents).

(b) BAH FOR OTHER MEMBERS LIVING TOGETHER.—Such section is further amended by adding at the end the following new subsection:

“(q) REDUCED ALLOWANCE FOR MEMBERS LIVING TOGETHER.—(1) In the event two or more members of the uniformed services are entitled to receive a basic allowance for housing under this section who are married to each other and are assigned for duty within the same commuting distance, the amount of basic allowance for housing under this section shall be paid to each such member at the rate as follows:

“(A) In the case of a member in a pay grade below pay grade E-4, the rate otherwise payable to such member under this section.

“(B) In the case of such a member in a pay grade above pay grade E-3, the rate equal to the greater of—

“(i) 75 percent of the rate otherwise payable to such member under this section; or

“(ii) the rate payable for a member in pay grade E-4 with dependents.

“(2) This subsection does not apply to members covered by subsection (p).”.

(c) EFFECTIVE DATE.—(1) In observing amendments made by this section shall take effect on October 1, 2015, and shall, except as provided in paragraph (2), apply with respect to allowances for basic housing payable for months beginning on or after that date.

(2) PRESERVATION OF CURRENT BAH FOR MEMBERS LIVING WITHOUT UNINTERRUPTED ELIGIBILITY.—Notwithstanding any amendment made by this section, basic allowance for housing under this section are married to one another and are assigned for duty within normal commuting distance, basic allowance for housing under this section shall be paid only to the member having the higher pay grade, or to the member having rank in grade if both members have the same pay grade, and at the rate payable to members of such pay grade with dependents (regardless of whether or not such members have dependents).

(d) BAH FOR OTHER MEMBERS LIVING TOGETHER.—Such section is further amended by adding at the end the following new subsection:

“(r) REDUCED ALLOWANCE FOR MEMBERS LIVING TOGETHER.—(1) In the event two or more members of the uniformed services are entitled to receive a basic allowance for housing under this section who are married to each other and are assigned for duty within the same commuting distance, the amount of basic allowance for housing under this section shall be paid to each such member at the rate as follows:

“(A) In the case of a member in a pay grade below pay grade E-4, the rate otherwise payable to such member under this section.

“(B) In the case of such a member in a pay grade above pay grade E-3, the rate equal to the greater of—

“(i) 75 percent of the rate otherwise payable to such member under this section; or

“(ii) the rate payable for a member in pay grade E-4 with dependents.

“(2) This subsection does not apply to members covered by subsection (p).”.

(e) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2016.

SEC. 605. AVAILABILITY OF INFORMATION.

In administering the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the Secretary of Agriculture shall ensure that any safeguards that prevent the use or disclosure of information obtained from applicant households shall not prevent the use of that data set for any purposes otherwise prohibited, including the disclosure of that information to the Secretary of Defense for purposes of determining the number of applicant households that contain one or more members of a regular component or reserve component of the Armed Forces.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUSES AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

The following sections of title 37, United States Code, are amended by striking “December 31, 2015” and inserting “December 31, 2016”:

(a) Section 308(b), relating to Selected Reserve reenlistment bonus.

(b) Section 308(c), relating to Selected Reserve affiliation or enlistment bonus.

(c) Section 308(e), relating to special pay for members assigned to high-priority units.

(d) Section 308(f), relating to Ready Reserve enlistment bonus or persons without pay and allowances.

(e) Section 308(h), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(f) Section 308(i), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(g) Section 47(a), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance.

(h) Section 91(e), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUSES AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) TITLE 10 AUTHORITIES.—The following sections of title 10, United States Code, are amended by striking “December 31, 2015” and inserting “December 31, 2016”:

(1) Section 2130(a)(1), relating to nurse officer candidate accession program.

(2) Section 1830(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) TITLE 7 AUTHORITIES.—The following sections of title 7, United States Code, are amended by striking “December 31, 2015” and inserting “December 31, 2016”:

(1) Section 302(c)(1), relating to accession and retention bonuses for psychologists.
(2) Section 302(a)(1), relating to accession bonus for registered nurses.
(3) Section 302(a)(1), relating to incentive special pay for nurses.
(4) Section 302(a)(1), relating to special pay for Select Reserve health professionals in critically short wartime specialties.
(5) Section 302(a)(1), relating to accession bonus for dental specialists.
(6) Section 302(a)(1), relating to accession bonus for pharmacy officers.
(7) Section 302(c)(1), relating to accession bonus for nuclear officers in critically short wartime specialties.
(8) Section 302(g), relating to accession bonus for dental specialists.

SEC. 616. INCREASE IN MAXIMUM ANNUAL AMOUNT OF NUCLEAR OFFICER BONUS PAY.
(a) INCREASE—Section 333(d)(1)(A) of title 37, United States Code, is amended by striking "$35,000" and inserting "$50,000".

(b) EFFECTIVE DATE—The amendment made by this subsection shall take effect on January 1, 2016, and shall apply with respect to agreements entered into under section 333 of title 37, United States Code, on or after that date.

SEC. 617. REPEAL OF OBSOLETE AUTHORITY TO PAY BONUS TO ENCOURAGE PERSONNEL PERSONNEL FOR ENLISTMENT IN THE ARMY.
(a) REPEAL—Section 3252 of title 10, United States Code, is repealed.
(b) CLERICAL AMENDMENT—The table of sections at the beginning of chapter 333 of title 37, United States Code, is amended by striking the item relating to section 3252.

Subtitle C—Travel and Transportation Allowances
SEC. 621. REPEAL OF OBSOLETE SPECIAL TRAVEL AND TRANSPORTATION ALLOWANCE FOR SURVIVORS OF DECEASED MEMBERS FROM THE VIETNAM WAR OR THE KOREAN CONFLICT.
(a) REPEAL—Section 341 of title 10, United States Code, is amended by striking subsection (d).

Subtitle D—Disability Pay, Retired Pay, and Survivor Benefits
SEC. 631. THIRFT SAVINGS PLAN PARTICIPATION FOR MEMBERS OF THE UNIFORMED SERVICES.
(a) MODERNIZED RETIREMENT SYSTEM.—Section 8400 of title 5, United States Code, is amended by striking subsection (e) and inserting the following:

"(e) MODERNIZED RETIREMENT SYSTEM.—
(1) TSP CONTRIBUTIONS.—The Secretary concerned shall make contributions to the Thrift Savings Fund, in accordance with section 8432, except to the extent the requirements under such section are modified by this subsection, for the benefit of a member who—
(A) first enters a uniformed service on or after January 1, 2016; or
(B) makes a contribution described in section 1409(b)(4)(B) or 12739(f) of title 10.
(2) MAXIMUM AMOUNT.—The amount contributed under this subsection by the Secretary concerned shall be an amount not more than 5 percent of such member's basic pay for such pay period.

(b) TIMING AND DURATION OF CONTRIBUTIONS.—
(1) AUTOMATIC CONTRIBUTIONS.—The Secretary concerned shall make a contribution described in section 8422(c)(1) in its entirety at the beginning of each pay period to which the basic pay of such member is applicable, for the benefit of a member described in paragraph (1) for any pay period that begins on or after January 1, 2016.
(2) MATCHING CONTRIBUTIONS.—The Secretary concerned shall make a contribution described in section 8422(c)(2) under this subsection for the benefit of a member described in paragraph (1) for any pay period that begins on or after January 1, 2016.

(c) EFFECTIVE DATES.—This section takes effect on the date of the enactment of this Act.

SEC. 632. AMENDMENTS TO TITLE 37—
(a) MODERNIZED RETIREMENT SYSTEM.—The amendments made by this section shall take effect on the date of the enactment of this Act.
(2) OTHER AMENDMENTS.—The amendments made by subsections (b) through (e) shall take effect on January 1, 2018.

SEC. 632. MODERNIZED RETIREMENT SYSTEM FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) MODERNIZED RETIREMENT SYSTEM.—
(1) IN GENERAL.—Section 1409(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) MODERNIZED RETIREMENT SYSTEM.—

(A) IN GENERAL.—Section 1409(b) of title 10, United States Code, is amended by striking ''section 1409(b)(4) of this title'' and inserting ''section 1409(b)(4) of this title, the Secretary shall increase the retired pay of such member in accordance with paragraph (2).''

(B) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.—Paragraph (2) of section 245(a) of the National Oceanic and Atmospheric Admin-istration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3045(a)) is amended to read as follows:

“(2) if a person who is paid a bonus under this section subsequently makes an election described in section 1409(b)(4) of title 10, United States Code, is amended—

(1) by striking ‘‘If a’’ and inserting ‘‘If a’’ and

(2) by adding at the end the following new paragraph:

“(2) Subject to subsection (f)(2), the Secretary concerned may not pay a new bonus under this section after December 31, 2017.

(B) SUNSET AND CONTINUATION OF PAYMENTS.—Such section 354 is further amended by adding at the end the following new subsection:

“(g) SUNSET AND CONTINUATION OF PAYMENTS.—A Secretary concerned may not pay a new bonus under this section after December 31, 2017, for bonuses that were awarded under this section on or before that date.’’.

(4) PUBLIC HEALTH SERVICE ACT.—Paragraph (4) of section 211(a) of the Public Health Service Act (42 U.S.C. 212) is amended—

(A) in the matter preceding subsection (A), by striking “at the rate of 2 1⁄2 per centum of the basic pay of the highest grade held by him as such officer” and inserting “calculated by multiplying the retired pay based on paragraph 1409 of title 10, United States Code, by the retired pay multiplier determined under section 1409 of such title for the numbers of years of service credited to the officer under this paragraph”; and

(B) in the matter following subparagraph (A), by striking “of the basic pay of the highest grade held by him as such officer” and inserting “such pay,”; and

(c) EFFECTIVE DATES.—

(1) MODERNIZED RETIREMENT SYSTEMS.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

(2) COORDINATING AMENDMENTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendments made by subsection (b) shall take effect on January 1, 2018.
(B) TITLE 37 AMENDMENTS.—The amendments made by paragraph (3) of subsection (b) shall take effect on the date of the enactment of this Act.

SEC. 633. LUMP SUM PAYMENTS OF CERTAIN RETIRED PAY.

(a) LUMP SUM PAYMENTS OF CERTAIN RETIRED PAY.—

(1) IN GENERAL.—Chapter 71 of title 10, United States Code, is amended by adding at the end the following new section:

§ 1415. Lump sum payment of certain retired pay.

"(a) Definitions.—In this section:

"(1) COVERED RETIRED PAY.—The term "covered retired pay" means retired pay under—

"(A) this title;

"(B) title 14; and

"(C) the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001 et seq.).

"(2) ELIGIBLE PERSON.—The term "eligible person" means a person who—

"(A)(i) first becomes a member of a uniformed service on or after January 1, 2018; or

"(ii) makes the election described in section 1409(b)(4) or 12738(f) of this title; and

"(B) is the secretary of defense or another department or chapter 61 of this title.

"(3) RETIREMENT AGE.—The term "retirement age" has the meaning given the term in chapter 61 of the Social Security Act (42 U.S.C. 416(i)).

"(4) ELECTION OF LUMP SUM PAYMENT OF CERTAIN RETIRED PAY.—

"(1) IN GENERAL.—An eligible person entitled to covered retired pay (including an eligible person who is entitled to such pay by reason of an election described in subsection (a)(2)(A)(i)) may elect—

"(A) to receive a lump sum payment of the discounted present value at the time of the election of the amount of the covered retired pay that the eligible person is otherwise entitled to receive for the period beginning on the date of retirement and ending on the date the eligible person attains the eligible person’s retirement age; or

"(B) to receive—

"(i) a lump sum payment of an amount equal to the amount otherwise receivable by the eligible person pursuant to subparagraph (A); and

"(ii) a monthly amount during the period described in paragraph (1) equal to 50 percent of the amount of monthly covered retired pay the eligible person is otherwise entitled to receive during such period.

"(2) AMOUNT.—The amount of continuation pay.

"(b) Amending retirement systems

"(1) COVERED RETIRED PAY.—The term "covered retired pay" means—

"(A) an amount computed pursuant to paragraph (1) in the case of a member of a regular component of the uniformed services;

"(B) an amount computed pursuant to paragraph (1) in the case of a member of a reserve component, not to exceed 13 months;

"(C) an amount computed pursuant to paragraph (1) if elected under paragraph (4), as follows:

"(i) in the case of a member of a regular component multiplied by 0.5; plus

"(ii) in the case of a member of a reserve component multiplied by 2.5; plus

"(iii) an amount equal to the amount of covered retired pay of an eligible person who makes an election described in subsection (a) be re-computed, effective on the first day of the month beginning on the date on which the member attains the member’s retirement age.

"(2) NO SUBSEQUENT ADJUSTMENT.—An eligible person who accepts payment of a lump sum payment under this subsection may not seek the review of or otherwise challenge the amount of the lump sum in light of any variation in cost-of-living adjustments under section 1401a of this title, any actuarial assumptions, or other factors used by the Secretary in calculating the amount of the lump sum that occur after the Secretary pays the lump sum.

"(c) RESUMPTION OF MONTHLY ANNUITY.—

"(1) GENERAL.—Subject to paragraph (2), an eligible person who makes an election described in subsection (b) shall be entitled to receive the eligible person’s monthly covered retired pay calculated in accordance with paragraph (2) after the eligible person attains the eligible person’s retirement age.

"(2) RESTORATION OF FULL RETIRED PAYMENT AMOUNT AT RETIREMENT AGE.—The retired pay of an eligible person who makes an election described in subsection (a) shall be re-computed, effective on the first day of the month beginning on the date the member attains the member’s retirement age, so as to be an amount equal to the amount of covered retired pay to which the eligible person would otherwise be entitled on that date if the member had not elected to receive a lump sum payment under this section.

"(d) REGULATIONS.—The Secretary of Defense shall compute the discounted present value of amounts of covered retired pay that an eligible person is otherwise entitled to receive for a period of purposes of subparagraph (A) by—

"(1) estimating the aggregate amount of covered retired pay that the person would receive for the period beginning on the date of retirement and ending on the date the person attains the person’s retirement age, and

"(2) reducing the aggregate amount estimated pursuant to subparagraph (A) by—

"(i) using average personal discount rates as defined and calculated by the Secretary taking into consideration applicable and reputable studies of personal discount rates for military personnel and past actuarial experience in the calculation of personal discount rates;

"(ii) in accordance with generally accepted actuarial principles and practices.

"(e) TIMING OF ELECTION.—An eligible person shall make the election under this subsection not later than 90 days before the date of the retirement of the eligible person from the uniformed services and shall make a new election if elected under paragraph (4)."
"(f) REPAYMENT.—A member who receives continuation pay under this section and fails to complete the obligated service required under subsection (a)(2)(B)(i) shall be subject to the repayment provisions of section 372 of this title.

"(g) REGULATIONS.—Each Secretary concerned shall prescribe regulations to carry out this section.

(2) CIRCULAR.—The table of sections at the beginning of chapter 5 of such title is amended by adding at the end the following new item:

"356. Continuation pay under this section.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 1, 2018, and shall apply with respect to agreements entered into under section 356 of title 10, United States Code, after that date.

SEC. 635. AUTHORITY FOR RETIREMENT FLEXIBILITY FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) AUTHORITY FOR RETIREMENT FLEXIBILITY.—Chapter 63 of title 10, United States Code, is amended by adding at the end the following new section:

"31276. Retirement flexibility: authority to modify years of service required for retirement for particular occupational specialities or other groupings.

"(a) AUTHORITY.—Notwithstanding any other provision of law, the Secretary concerned may modify the years of service required for an eligible member to retire, to greater than or fewer than 20 years of service, in order to alleviate management actions that shape the personnel profile or correct manpower shortages within an occupational specialty or other grouping of members of the uniformed services.

"(b) ELIGIBLE MEMBER DEFINED.—In this section, the term 'eligible member' means a member of the uniformed services working in an occupational specialty or other grouping designated by the Secretary concerned as in need of a management action described in subsection (a).

(c) NOTICE-AND-WAIT.—

"(1) NOTICE REQUIRED.—The Secretary concerned shall submit to Congress notice of any proposed modification under subsection (a) until one year after the date on which notice of the modification is submitted to Congress under paragraph (1).

"(2) LIMITATION.—The Secretary concerned may not implement a proposed modification under subsection (a) until one year after the date on which notice of the modification is submitted to Congress under paragraph (1).

"(3) CIRCULAR.—The table of sections at the beginning of chapter 63 of such title is amended by adding at the end the following new item:

"31276. Retirement flexibility: authority to modify years of service required for retirement for particular occupational specialities or other groupings.

SEC. 636. TREATMENT OF DEPARTMENT OF DEFENSE MILITARY RETIREMENT FUND AS A QUALIFIED TRUST.

(a) IN GENERAL.—Chapter 74 of title 10, United States Code, is amended by adding at the end the following new section:

"1408. Treatment as a qualified trust.

"For purposes of the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.),—

"(1) the Fund shall be treated as a trust described in section 401(a) of such Code (26 U.S.C. 401(a)); and

"(2) any contribution to, or distribution from, the Fund shall be treated in the same manner as contributions to or distributions from such a trust.

(b) CIRCULAR.—The table of sections at the beginning of chapter 74 of such title is amended by adding at the end the following new section:

"1408. Treatment as a qualified trust.

PART II—OTHER MATTERS

SEC. 641. DEATH OF FORMER SPOUSE BENEFICIARIES AND SUBSEQUENT RECIPIENT UNDER SURVIVOR BENEFIT PLAN.

(a) IN GENERAL.—Section 1448(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(7) EFFECT OF DEATH OF FORMER SPOUSE BENEFICIARY.—

"(A) TERMINATION OF PARTICIPATION IN PLAN.—Any person elected to provide an annuity to a former spouse under paragraph (2) and whose former spouse subsequently dies before the effective date of this section, shall cease to participate in the Plan as of the date of death of the former spouse beneficiary.

"(B) AUTHORITY FOR ELECTION OF NEW SPOUSE BENEFICIARY.—If a member's participation in the Plan is terminated by reason of the death of a former spouse beneficiary, the member may elect to resume participation in the Plan and to elect a new spouse beneficiary as follows:

"(i) MARRIED ON THE DATE OF DEATH OF FORMER SPOUSE.—A person who is married at the time of the death of the former spouse beneficiary may elect to provide coverage to that person's spouse. Such an election must be received by the Secretary concerned within one year after the date of death of the former spouse beneficiary.

"(ii) MARRIAGE AFTER DEATH OF FORMER SPOUSE.—If a member's participation in the Plan is terminated by reason of the death of a former spouse beneficiary, the effective date of the election may be the first day of the first month after the death of the former spouse beneficiary.

"(C) EFFECTIVE DATE OF ELECTION.—The effective date of an election under this paragraph shall be as follows:

"(1) An election under subparagraph (B)(i) is effective as of the first day of the first calendar month following the death of the former spouse beneficiary.

"(2) An election under subparagraph (B)(ii) is effective as of the first day of the first calendar month following the death of the former spouse beneficiary.

"(D) LEVEL OF COVERAGE.—A person making an election under subparagraph (B) may not reduce the base amount previously elected.

"(E) PROCEDURES.—An election under this paragraph shall be in writing, signed by the member as the Secretary concerned may prescribe.

"(F) IRREVOCABILITY.—An election under this paragraph is irrevocable.

(b) CIRCULAR.—The table of sections at the beginning of chapter 74 of such title is amended by adding at the end the following new section:

"1448. Treatment as a qualified trust.

SEC. 642. TRANSITIONAL COMPensation AND OTHER BENEFITS FOR DEPENDENTS OF MEMBERS OF THE ARMED FORCES INELIGIBLE TO RECEIVE RETIRED PAY AS A RESULT OF COURT-MARTIAL SENTENCE.

(a) IN GENERAL.—Chapter 53 of title 10, United States Code, is amended by adding after section 1059 the following new section:

"1059a. Dependents of members of the armed forces ineligible to receive retired pay as a result of court-martial sentence: transitional compensation and other benefits; commissary and exchange benefits.

"(a) AUTHORITY TO PAY COMPENSATION.—

The Secretary of Defense, with respect to the armed forces (other than the Coast Guard when it is not operating as a service in the Navy) and the Secretary of Homeland Security, with respect to the Coast Guard when it is not operating as a service in the Navy, may each carry out a program under which the Secretary may pay monthly transitional compensation in accordance with this section to dependents or former dependents of a member of the armed forces described in subsection (b) who is under the jurisdiction of the Secretary.

"(b) MEMBERS COVERED.—This section applies in the case of a member of the armed forces eligible for retired or retainer pay under this title for years of service who—

"(1) is separated from active duty pursuant to the sentence of a court-martial as a result of misconduct while a member; and

"(2) has eligibility to receive retired pay terminated pursuant to such sentence.

"(c) RECIPIENT OF PAYMENTS.—In the case of a member of the armed forces described in paragraph (1) who—

"(1) has not paid compensation under this section to dependents or former dependents of a member of the armed forces described in paragraph (1) who was married at that time, including an amount for each, if any, dependent child of
the member who resides in the same household as that spouse or former spouse.

"(B) If there is a spouse or former spouse who is or, but for subsection (d)(2), would be eligible for transitional compensation under this section, the Secretary concerned determines (under regulations prescribed under subsection (g)) that the dependent or former dependent either—

"(1) was an active participant in the conduct constituting the offense under chapter 47 of this title (the Uniform Code of Military Justice) for which the member was convicted and sentenced for discharge; or

"(2) did not cooperate with the investigation of such conduct.

"(d) COMMENCEMENT AND DURATION OF PAYMENT.—Payments of transitional compensation under this section shall commence—

"(A) as of the date the court-martial sentence is adjudged if the sentence, as adjudged, includes—

"(i) a dismissal, dishonorable discharge, or bad conduct discharge; and

"(ii) forfeiture of all pay and allowances; or

"(B) if there is a pretrial agreement that provides for disapproval or suspension of the dismissal, dishonorable discharge, bad conduct discharge, or forfeiture of all pay and allowances, as of the date of the approval of the court-martial sentence by the person acting under section 880(c) of this title (article 60(c) of the Uniform Code of Military Justice) if the sentence, as approved, includes—

"(i) an unsuspended dismissal, dishonorable discharge, or bad conduct discharge; and

"(ii) forfeiture of all pay and allowances.

"(2) Paragraphs (2) and (3) of subsection (e), paragraph (2) of subsection (g), and subsections (f) and (h) of section 1059 of this title shall apply in determining—

"(A) the amount of transitional compensation to be paid under this section;

"(B) the period for which such compensation may be paid; and

"(C) the circumstances under which the payment of such compensation may or shall cease.

"(e) COMMISSARY AND EXCHANGE BENEFITS.—A dependent or former dependent who receives transitional compensation under this section shall, while receiving such payments, be entitled to use commissary and exchange stores in the same manner as provided in subsection (i) of section 1059 of this title.

"(f) COORDINATION OF BENEFITS.—(1) The Secretary concerned may not make payments to a spouse or former spouse under both this section and section 1059a of this title, except that when a member of the armed forces referred to in subsection (b), has the meaning given such term in subsection (i) of section 1059 of this title, except that status as a 'dependent child' shall be determined as of the date on which the member described in subsection (b) is convicted of the offense concerned.

"(2) B C LERICAL AMENDMENT.—The table of sections at the beginning of chapter 53 of this title is amended by inserting after the item relating to section 1059 the following new item:

"1059a. Dependents of members of the armed forces ineligible to receive transitional compensation under this section; transitional compensation and other benefits; commissary and exchange stores.

Subtitle E—Commissary and Non-Appropriated Fund Instrumentalities Benefits and Operations

SEC. 451. COMMISSARY SYSTEM MATTERS.

(a) OPERATING EXPENSES.—Section 2483 of title 10, United States Code, is amended—

"(1) in subsection (b)—

"(A) in paragraph (4), by striking 'supplies and'; and

"(B) by striking (5); and

"(C) by redesignating paragraph (6) as paragraph (5); and

"(2) by adding at the end the following new subsections:

"(d) TRANSPORTATION COSTS FOR CERTAIN GOODS AND SUPPLIES.—Appropriated funds may be used to pay any costs associated with the transportation of commissary goods and supplies to overseas areas, but only to the extent necessary to provide sufficient gross revenues from such sales to ensure that the working capital fund for commissary operations is reimbursed for the payment of such costs. The sales prices in commissary stores worldwide shall be adjusted in an equal percentage to the extent necessary to provide sufficient gross revenues from such sales to make such reimbursements.

"(e) UNIFORM SYSTEM-WIDE PRICING.—The defense commissary system shall be managed with the objective of attaining uniform pricing system-wide.

"(f) PRICING AND SURCHARGES.—Section 2484 of such title is amended—

"(1) by striking subsection (e) and inserting the following new subsection (e):

"(e) SALES PRICE ESTABLISHMENT.—The Secretary of Defense shall establish the sales prices for goods or supplies sold by com- missary stores in amounts sufficient to finance operating expenses as prescribed in section 2483(b) of this title and the replenishment of inventories; and

"(2) in subsection (h)—

"(A) in the subsection caption, by striking 'MAINTENANCE AND PURCHASE OF OPERATING SUPPLIES'; and

"(B) in paragraph (1)(A)—

"(i) in clause (i), by striking "and" at the end; (ii) in clause (ii), by striking the period at the end and inserting "and"; and

"(iii) by adding at the end the following new clause:

"(iiii) to purchase operating supplies for commissary stores.

"(c) OVERSEAS TRANSPORTATION.—Section 2483(b) of such title is amended by striking the first sentence and inserting the following new sentence: ‘Defense working capital fund may be used for the transportation costs of commissary goods and supplies as provided in section 2483(d) of this title.’.

SEC. 452. PLAN ON PRIVATIZATION OF THE DEFENSE COMMISSARY SYSTEM.

(a) PLAN REQUIRED.—

"(1) PLAN.—Not later than March 1, 2016, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan for the privatization, in whole or in part, of the defense commissary system of the Department of Defense.

"(2) REPORT ELEMENTS.—The report required by subsection (a) shall include—

"(A) an evaluation of the current rates of basic pay and basic allowance for subsistence payable to members of the Armed Forces, in such a manner as to discern savings to the Secretary concerned may not make payments to a spouse or former spouse under both this section and section 1059a of this title, except that when a member of the Armed Forces referred to in subsection (b), has the meaning given such term in subsection (i) of section 1059 of this title, except that status as a 'dependent child' shall be determined as of the date on which the member described in subsection (b) is convicted of the offense concerned.

"(2) B C LERICAL AMENDMENT.—The table of sections at the beginning of chapter 53 of this title is amended by inserting after the item relating to section 1059 the following new item:

"1059a. Dependents of members of the armed forces ineligible to receive transitional compensation under this section; transitional compensation and other benefits; commissary and exchange stores.

Subtitle E—Commissary and Non-Appropriated Fund Instrumentalities Benefits and Operations

SEC. 451. COMMISSARY SYSTEM MATTERS.

(a) OPERATING EXPENSES.—Section 2483 of title 10, United States Code, is amended—

"(1) in subsection (b)—

"(A) in paragraph (4), by striking 'supplies and'; and

"(B) by striking (5); and

"(C) by redesignating paragraph (6) as paragraph (5); and

"(2) by adding at the end the following new subsections:

"(d) TRANSPORTATION COSTS FOR CERTAIN GOODS AND SUPPLIES.—Appropriated funds may be used to pay any costs associated with the transportation of commissary goods and supplies to overseas areas, but only to the extent necessary to provide sufficient gross revenues from such sales to make such reimbursements.

"(e) UNIFORM SYSTEM-WIDE PRICING.—The defense commissary system shall be managed with the objective of attaining uniform pricing system-wide.

"(f) PRICING AND SURCHARGES.—Section 2484 of such title is amended—

"(1) by striking subsection (e) and inserting the following new subsection (e):

"(e) SALES PRICE ESTABLISHMENT.—The Secretary of Defense shall establish the sales prices for goods or supplies sold by commis-
SEC. 653. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE COMMISSARY SUBCHARGE, NON-APPROPRIATED FUND, AND PRIVATLY-FINANCED MAJOR CONSTRUCTION PROGRAM.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the Commissary Subcharge, Non-appropriated Fund and Privately-Financed Major Construction Program of the Department of Defense.

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

(1) An assessment whether the Secretary of Defense has established policies and procedures to ensure the timely submittal to the committees of Congress referred to in subsection (a) of notice on construction projects proposed to be funded through the program referred to in that subsection.

(2) An assessment whether the Secretaries of the military departments have developed and implemented policies and procedures to comply with the policies and directives of the Department of Defense for the submittal to such committees of Congress of notice on such construction projects.

(3) An assessment whether the Secretary of Defense has established policies and procedures to notify such committees of Congress when such construction projects have been commenced without notice to Congress.

(4) An assessment whether construction projects described in paragraph (3) have been completed before submittal of notice to Congress as described in that paragraph and, if so, a list of such projects.

SEC. 701. URGENT CARE AUTHORIZATION UNDER THE TRICARE PROGRAM.

(a) URGENT CARE.—

The cost-sharing amount for a 30-day supply of a retail generic is:

2016 $8
2017 $8
2018 $8
2019 $9
2020 $10
2021 $11
2022 $12
2023 $13
2024 $14
2025 $14

The cost-sharing amount for a 90-day supply of a mail order generic is:

2016 $28
2017 $30
2018 $32
2019 $34
2020 $36
2021 $38
2022 $40
2023 $43
2024 $45
2025 $46

The cost-sharing amount for a 30-day supply of a mail order non-formulary is:

2016 $28
2017 $30
2018 $32
2019 $34
2020 $36
2021 $38
2022 $40
2023 $43
2024 $45
2025 $46

SEC. 702. MODIFICATIONS OF COST-SHARING REQUIREMENTS FOR THE TRICARE PHARMACY BENEFITS PROGRAM.

Paragraph (6) of section 1074(a) of title 10, United States Code, is amended as follows:

“(B) In the case of any of the years 2016 through 2025, the cost-sharing amounts under this subsection shall be determined in accordance with the following table:

<table>
<thead>
<tr>
<th>Year</th>
<th>30-Day Supply of a Retail Generic</th>
<th>90-Day Supply of a Mail Order Generic</th>
<th>30-Day Supply of a Mail Order Non-Formulary</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$8</td>
<td>$28</td>
<td>$28</td>
</tr>
<tr>
<td>2017</td>
<td>$8</td>
<td>$30</td>
<td>$30</td>
</tr>
<tr>
<td>2018</td>
<td>$8</td>
<td>$32</td>
<td>$32</td>
</tr>
<tr>
<td>2019</td>
<td>$9</td>
<td>$34</td>
<td>$34</td>
</tr>
<tr>
<td>2020</td>
<td>$10</td>
<td>$36</td>
<td>$36</td>
</tr>
<tr>
<td>2021</td>
<td>$11</td>
<td>$38</td>
<td>$38</td>
</tr>
<tr>
<td>2022</td>
<td>$12</td>
<td>$40</td>
<td>$40</td>
</tr>
<tr>
<td>2023</td>
<td>$13</td>
<td>$43</td>
<td>$43</td>
</tr>
<tr>
<td>2024</td>
<td>$14</td>
<td>$45</td>
<td>$45</td>
</tr>
<tr>
<td>2025</td>
<td>$14</td>
<td>$46</td>
<td>$46</td>
</tr>
</tbody>
</table>

“(2) A member of the Selected Reserve of the Ready Reserve of a reserve component of the armed forces who—

“(A) is discharged or released from service in the Selected Reserve, whether voluntarily or involuntarily, under other than adverse conditions, as characterized by the Secretary concerned;

“(B) immediately preceding that discharge or release, is eligible to enroll in TRICARE standard coverage under section 1076d of this title; and

“November 27, 2014.
(c) After that discharge or release, would not otherwise be eligible for any benefits under this chapter.

(b) Notification of Eligibility.—Subsection (c)(2) of such section is amended by inserting "or subsection (b)(2)" after "subsection (b)(1)".

(c) Election of Coverage.—Subsection (d) of such section is amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph (2):

"(2) In the case of a member described in subsection (b)(2), the written election shall be submitted to the Secretary concerned before the end of the 60-day period beginning on the following:"

(A) the date of the discharge or release of the member from service in the Selected Reserve; and

(B) the date the member receives the notification required pursuant to subsection (c)."

(d) Coverage of Dependents.—Subsection (e) of such section is amended by inserting "or subsection (b)(2)" after "subsection (b)(1)".

(e) Period of Continued Coverage.—Subsection (g)(1) of such section is amended—

(1) by redesignating paragraphs (B) through (D) as paragraphs (C) through (E); and

(2) by inserting after subparagraph (A) the following new subparagraph (B):

"(B) In the case of a member described in subsection (b)(2), the date which is 18 months after the date the member ceases to be eligible to enroll in TRICARE Standard coverage under section 107d of this title;"

(f) Conforming Amendments.—Such section is further amended—

(1) in subsection (c)—

(A) in paragraph (3), by striking "subsection (b)(2)" and inserting "subsection (b)(3)"; and

(B) in paragraph (4), by striking "subsection (b)(3)" and inserting "subsection (b)(4)";

(2) in subsection (d)—

(A) in paragraph (3), as redesignated by subsection (c)(1), by striking "subsection (b)(2)" and inserting "subsection (b)(3)";

(B) as so redesignated, by striking "subsection (b)(3)" and inserting "subsection (b)(4)"; and

(C) in paragraph (5), as so redesignated, by striking "subsection (b)(4)" and inserting "subsection (b)(5)";

(3) in subsection (e), by striking "subsection (b)(2) or subsection (b)(3)" and inserting "subsection (b)(3) or subsection (b)(4)"; and

(4) in subsection (g)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (C) and (D) as redesignated by subsection (e)(1), by striking "subsection (b)(2)" and inserting "subsection (b)(3)";

(ii) in subparagraph (D), as so redesignated, by striking "subsection (b)(3)" and inserting "subsection (b)(4)"; and

(iii) in subparagraph (E), as so redesignated, by striking "subsection (b)(4)" and inserting "subsection (b)(5)";

(B) in paragraph (2)—

(i) by striking "paragraph (1)B) and inserting "paragraph (1)(C)"; and

(ii) by redesignating subsection (b)(2) and inserting "subsection (b)(3)"; and

(C) in paragraph (3)—

(i) by striking "subsection (C)" and inserting "subsection (B)"; and

(ii) by striking "subsection (b)(3)" and inserting "subsection (b)(4)".

SEC. 704. EXPANSION OF REIMBURSEMENT FOR SMOKING CESSATION SERVICES FOR CERTAIN TRICARE BENEFICIARIES.

Section 717(f) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–147; 122 Stat. 4503) is amended—

(1) in paragraph (1)(A), by striking "during fiscal year 2009";

(2) in paragraph (1)(B), by striking "during such period"; and

(3) in paragraph (2), by striking "during fiscal year 2009" and inserting "after September 30, 2008.

SEC. 705. PILOT PROGRAM ON TREATMENT OF MEMBERS OF THE ARMED FORCES FOR POST-TRAUMATIC STRESS DISORDER RELATED TO MILITARY SEXUAL TRAUMA.

(a) In General.—The Secretary of Defense may conduct a pilot program to provide intensive outpatient programs to treat members of the Armed Forces suffering from post-traumatic stress disorder resulting from military sexual trauma, including treatment for substance abuse, depression, and other issues related to such conditions.

(b) Grants to Community Partners.—

(1) In General.—The Secretary of Defense may carry out the pilot program through the award of grants to community partners described in paragraph (2).

(2) Community Partners.—A community partner described in this paragraph is a private health care organization or institution that—

(A) provides health care to members of the Armed Forces;

(B) provides evidence-based treatment for psychological and neurological conditions that are common among members of the Armed Forces; and

(C) provides health care, support, and other benefits to family members of members of the Armed Forces; and

(D) provides health care under the TRICARE program (as that term is defined in section 1072 of title 10, United States Code).

(c) Requirements of Grant Recipients.—Each community partner awarded a grant under subsection (b) shall—

(1) carry out intensive outpatient programs of short duration to treat members of the Armed Forces suffering from post-traumatic stress disorder resulting from military sexual trauma, including treatment for substance abuse, depression, and other issues related to such conditions;

(2) use evidence-based and evidence-informed treatment strategies in carrying out such programs;

(3) share clinical and outreach best practices with other community partners participating in the pilot program; and

(4) annually assess outcomes for members of the Armed Forces suffering from such conditions.

(d) Definition.—In this section, the term " Armed Forces" means the Army, Navy, Air Force, or Marine Corps.
(b) MECHANISMS TO ENSURE PORTABILITY.—In carrying out subsection (a), the Secretary shall do the following:
(1) Provide for the automatic electronic transmission and secure enrollment of data, including claims information between the contractors responsible for administering the TRICARE program in each TRICARE region when covered beneficiaries move across such regions.
(2) Ensure that covered beneficiaries are able to establish and maintain a new primary health care provider within ten days of undergoing such relocation.

(3) Develop a process for such covered beneficiaries that is available to the public; and
(4) Ensure that such information is made available on the Internet website that is to be maintained by each current contractor responsible for administering the TRICARE program.

(c) DEFINITIONS.—In this section, the terms “covered beneficiary” and “TRICARE program” have the meaning given such terms in section 1072 of title 10, United States Code.

SEC. 714. COMPREHENSIVE STANDARDS AND ACCREDITATION GUIDELINES FOR THE DEPARTMENT OF DEFENSE FOSTERING HEALTH AND WELLNESS FOR SERVICEWOMEN EXPERIENCES WITH FAMILY PLANNING SERVICES AND COUNSELING

(a) PURPOSE.—The purpose of this section is to ensure that all health care providers employed by the Department of Defense who provide care for members of the Armed Forces have access to comprehensive counseling on methods of contraception and counseling on methods of contraception for members of the Armed Forces who are pregnant, whether the Department of Defense has access to comprehensive counseling on the full range of methods of contraception developed by the Secretary for that purpose.

(b) CLINICAL PRACTICE GUIDELINES.—
(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall compile clinical practice guidelines for health care providers described in subsection (a) on standards of care with respect to methods of contraception and counseling on methods of contraception for members of the Armed Forces.

(2) SOURCES.—The Secretary shall compile clinical practice guidelines under this subsection from among clinical practice guidelines and other evidence-based treatments and approaches recommended for such providers by

(3) DISSEMINATION.—Clinical decision support tools, and any updates to such tools, shall be disseminated under this subsection in accordance with the tools developed by the Secretary for that purpose.

(c) PUBLICATION.—The Secretary shall ensure that such guidelines are made available on the Internet website that is to be maintained by the Department.

(d) ACCESS TO CONTRACEPTION COUNSELING.—As soon as practicable after the date of the enactment of this Act, the Secretary shall ensure access to comprehensive counseling on the full range of methods of contraception developed by the health care professional described in subsection (b) for all health care providers described in subsection (b).

(e) INCORPORATION INTO SURVEYS OF QUESTIONS ON SERVICEWOMEN EXPERIENCES WITH FAMILY PLANNING SERVICES AND COUNSELING.—
(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall integrate into the surveys by the Department of Defense specified in paragraph (2) questions designed to obtain information on the experiences of women members of the Armed Forces—
(A) in accessing family planning services and counseling;
(B) in using family planning methods, including information on which method was preferred and whether deployment conditions affected the use of such method;
(C) with respect to women members of the Armed Forces who are pregnant, whether the pregnancy was intended.

(2) COVERED SURVEYS.—The surveys into which questions shall be integrated as described in paragraph (1) are the following:
(A) The Health Related Behavior Survey of Active Duty Military Personnel;
(B) The Health Care Survey of Department of Defense Beneficiaries;
(C) The Education on Family Planning for Members of the Armed Forces—
(1) EDUCATION PROGRAMS.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall establish a uniform standard curriculum to be
used in education programs on family planning for all members of the Armed Forces, including both men and women members.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Department of Defense and each of its component departments and agencies shall carry out the education and training programs under this section in a manner consistent with Department of Defense Instruction 7041.04.

(3) ELEKTRA.—The uniform standard curriculum under paragraph (1) shall include the following:

(A) A determination for members of the Armed Forces on active duty to make informed decisions regarding family planning.

(B) Information about the prevention of unintended pregnancies and sexually transmitted infections, including human immunodeficiency virus (HIV).

(C) Information on the importance of providing comprehensive family planning for members of the Armed Forces, and their commanding officers, and on the positive impact family planning can have on the health and readiness of the Armed Forces.

(D) Current, medically accurate information.

(E) Clear, user-friendly information on the full range of contraceptive methods and where members of the Armed Forces can access their chosen method of contraception.

(F) Information on all applicable laws and policies that Members of Congress and their staff are informed of their rights and obligations.

(G) Information on patients' rights to confidentiality.

(H) Information on the unique circumstances encountered by members of the Armed Forces, and the effects of such circumstances on the use of contraception.

SEC. 715. WAIVER OF RECoupMENT OF EROnIOUS PAYMENTS DUE TO ADMINISTRATIVE ERROR UNDER THE TRICARE PROGRAM.

(a) In General.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1095g the following new section:

"1095g. TRICARE program: waiver of recoupment of erroneous payments due to administrative error.

"(a) WAIVER OF RECoupMENT.—The Secretary of Defense may waive recoupment from a covered beneficiary who has benefitted from an erroneous TRICARE payment in a case where in the discretion of the Secretary:

"(1) The payment was made due to an administrative error by an employee of the Department of Defense or a contractor under the TRICARE program;

"(2) The covered beneficiary (or in the case of a minor, the parent or guardian of the covered beneficiary) had a good faith, reasonable belief that the covered beneficiary was entitled to the benefit of such payment under this chapter;

"(3) The covered beneficiary relied on the expectation of such entitlement;

"(4) The Secretary determines that a waiver of recoupment of such payment is necessary to prevent an injustice.

"(b) DEFINITION.—In any case in which the Secretary waives recoupment under subsection (a) and the administrative error was on the part of a contractor under the TRICARE program, the Secretary shall, consistent with the requirements and procedures of the applicable contract, determine the responsibility on the contractor for the erroneous payment.

"(c) FINALITY OF DETERMINATIONS.—Any determination by the Secretary under this section to waive or decline to waive recoupment under subsection (a) is a final determination and shall not be subject to appeal by the covered beneficiary.

"(d) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 1095f the following new item:

"1095g. TRICARE program: waiver of recoupment of erroneous payments due to administrative error."

SEC. 716. DESIGNATION OF CERTAIN NON-DEPARTMENTAL MENTAL HEALTH CARE PROVIDERS WITH KNOWLEDGE RELEVANT TO TREATMENT OF MEMBERS OF THE ARMED FORCES.

(a) MENTAL HEALTH PROVIDER READINESS DESIGNATION.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of the Army, in consultation with the Secretary of Defense, shall establish a system by which any non-Department mental health care provider that meets eligibility criteria established by the Secretary relating to the knowledge described in paragraph (2) receives a mental health provider readiness designation from the Department of Defense.

(2) KNOWLEDGE DESCRIBED.—The knowledge described in this paragraph is the following:

(A) Knowledge and understanding with respect to the culture of members of the Armed Forces and family members and caregivers of members of the Armed Forces.

(B) Knowledge with respect to evidence-based treatments that have been approved by the Department of Defense and the listing of mental health issues among members of the Armed Forces.

(b) AVAILABILITY OF INFORMATION ON DESIGNATION.—

(1) REGISTRY.—The Secretary of Defense shall establish and maintain a registry that is available to the public of all non-Departmental mental health care providers that are currently designated under subsection (a)(1).

(2) PROVIDER LIST.—The Secretary shall update all lists maintained by the Secretary of non-Department mental health care providers that provide mental health care under the laws administered by the Secretary by indicating the providers that are currently designated under subsection (a)(1).

(c) NON-DEPARTMENT MENTAL HEALTH CARE PROVIDER DEFINED.—In this section, the term ‘non-Department mental health care provider’ means:

(1) a health care provider that—

(A) specializes in mental health;

(B) is not a health care provider of the Department of Defense; and

(C) provides mental health care to members of the Armed Forces;

(2) includes psychiatrists, psychologists, psychiatric nurses, social workers, mental health counselors, marriage and family therapists, and other mental health care providers designated by the Secretary of Defense.

SEC. 717. LIMITATION ON CONVERSION OF MILITARY MEDICAL AND DENTAL POSITIONS TO CIVILIAN MEDICAL AND DENTAL POSITIONS.

(a) LIMITED AUTHORITY FOR CONVERSION.—Chapter 49 of title 10, United States Code, is amended by inserting after section 797 the following new section:

"797. Conversion of military medical and dental positions to civilian medical and dental positions: limitation.

"(a) REQUIREMENTS RELATING TO CONVERSION.—A military medical or dental position within the Department of Defense may not be converted to a civilian medical or dental position unless the Secretary of Defense determines that—

"(1) the position is not a military essential position; and

"(2) conversion of the position would not result in the degradation of medical or dental care or the medical or dental readiness of the armed forces; and

"(3) conversion of the position to a civilian medical or dental position is more cost effective for the performance of health care functions within the armed forces held by a member of the armed forces.

"(b) DEFINITIONS.—In this section:

"(1) The term 'military essential position' means a position for the performance of health care functions within the armed forces held by a member of the armed forces.

"(2) The term 'civilian medical or dental position' means a position for the performance of health care functions within the Department of Defense held by an employee of the Department or of a contractor of the Department.

"(3) The term 'military essential', with respect to a position, means that the position must be held by a member of the armed forces, as determined in accordance with regulations prescribed by the Secretary.

"(4) The term 'conversion', with respect to a military medical or dental position, means a change of the position to a civilian medical or dental position, effective as of the date of such conversion, as determined in accordance with the military department making the change (through a change in designation from military to civilian in the document, the elimination of the administrative error was on the part of a contractor under the TRICARE program, or through any other means indicating the change in the document or otherwise).

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 49 of such title is amended by inserting after the item relating to section 796 the following new item:

"797. Conversion of military medical and dental positions to civilian medical and dental positions: limitation.

(c) REPEAL OF RELATED PROHIBITION.—Section 721 of the National Defense Authorization Act for Fiscal Year 2010 (10 U.S.C. 129c) is repealed.
(2) The experience of covered beneficiaries in receiving health care under the TRICARE program.

(3) The health of covered beneficiaries.

(b) Incentive Programs.—

(1) DEVELOPMENT.—In developing an incentive program under this section, the Secretary shall—

(A) consider the characteristics of the population of covered beneficiaries affected by the incentive program;

(B) consider how the incentive program would impact the receipt of health care under the TRICARE program by such covered beneficiaries;

(C) establish or maintain a reasonable assurance that covered beneficiaries will have timely access to health care during operation of the incentive program;

(D) ensure that there are no additional financial costs to such covered beneficiaries of implementing the incentive program; and

(E) consider such other factors as the Secretary considers appropriate.

(2) ELEMENTS.—With respect to an incentive program developed and implemented under this section, the Secretary shall—

(A) specify what constitutes a covered beneficiary; and

(B) establish or maintain a reasonable assurance that covered beneficiaries will have timely access to health care during operation of the incentive program under this section, the Secretary shall enter into a memorandum of understanding with the Secretary of Health and Human Services or any other governmental or commercial health care program.

(c) TERMINATION.—The authority of the Secretary to carry out the pilot program under this section shall terminate on December 31, 2019.

(d) REPORT.—Not later than March 15, 2019, the Secretary shall submit to the congressional defense committees a report on the pilot program that includes the following:

(A) An assessment of each incentive program conducted by the Centers for Medicare & Medicaid Services or any other governmental or commercial health care program.

(B) The experience of covered beneficiaries in receiving health care under a TRICARE program, or the health of covered beneficiaries.

(C) A description of any actions taken by the Secretary to improve patient safety, quality of care, and access to care in military medical treatment facilities.

(D) To collect and analyze data throughout the TRICARE program.

(e) USE OF EXISTING MODELS.—In developing an incentive program under this section, the Secretary may adapt a value-based incentive program conducted by the Centers for Medicare & Medicaid Services or any other governmental or commercial health care program.

(f) TERMINATION.—The authority of the Secretary to carry out the pilot program under this section shall terminate on December 31, 2019.

(g) REPORT.—Not later than March 15, 2019, the Secretary shall submit to the congressional defense committees a report on the pilot program that includes the following:

(A) An assessment of each incentive program conducted by the Centers for Medicare & Medicaid Services or any other governmental or commercial health care program.

(B) The experience of covered beneficiaries in receiving health care under a TRICARE program, or the health of covered beneficiaries.

(C) A description of any actions taken by the Secretary to improve patient safety, quality of care, and access to care in military medical treatment facilities.

(D) To collect and analyze data throughout the TRICARE program.

(2) I NFORMATION PROVIDED.—The information provided by the Secretary of Defense to the Secretary of Health and Human Services under subsection (a) shall include the following:

(1) Measures of the timeliness and effectiveness of the health care provided by the Department of Defense.

(2) Measures of the prevalence of—

(A) readmissions, including the 30-day readmission rate;

(B) complications resulting in death, including the 30-day mortality rate;

(C) surgical complications; and

(D) health care related infections.

(3) Survey data of patient experiences, including the Hospital Consumer Assessment of Healthcare Providers and Systems or any similar survey developed by the Secretary of Defense.

(4) Any other measures or data required of or reported with respect to patient safety indicators in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

SEC. 726. PUBLICATION OF DATA ON PATIENT SAFETY, QUALITY OF CARE, SATISFACTION, AND HEALTH OUTCOME MEASURES UNDER THE TRICARE PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall publish on an Internet website of the Department of Defense that is available to the public data on all measures used by the Department to assess patient safety, quality of care, patient satisfaction, and health outcomes for health care provided under the TRICARE program at each military medical treatment facility.

(b) UPDATES.—The Secretary shall publish an update to the data published under subsection (a) not less frequently than once each quarter of a fiscal year.

(c) ACCESSIBILITY.—The Secretary shall ensure that the data published under subsection (a) is accessible through the primary Internet website of the Department and the primary Internet website of the military medical treatment facility with respect to which such data applies.

(d) TRICARE PROGRAM DEFINED.—In this section, the term ‘‘TRICARE program’’ has the meaning given such term in section 1072 of title 10, United States Code.

SEC. 732. ANNUAL REPORT ON PATIENT SAFETY, QUALITY OF CARE, AND ACCESS TO CARE IN MILITARY MEDICAL TREATMENT FACILITIES.

(a) IN GENERAL.—Not later than March 1 each year beginning in 2016, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a comprehensive report setting forth the current and future plans of the Secretary, with estimated dates of completion, to carry out the following:

(A) To improve the experience of beneficiaries with health care provided in military medical treatment facilities and through purchased care.

(B) To eliminate performance variability with respect to the provision of such health care.

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

(A) A synopsis of such event; and

(B) A description of any actions taken by the Secretary to improve patient safety, quality of care, and access to care at such facility.

SEC. 734. REPORT ON PLANS TO IMPROVE EXPERIENCE WITH AND ELIMINATE PERFORMANCE VARIABILITY OF HEALTH CARE PROVIDED BY THE DEPARTMENT OF DEFENSE.

(a) COMPREHENSIVE REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a comprehensive report setting forth the current and future plans of the Secretary, with estimated dates of completion, to carry out the following:

(A) To improve the experience of beneficiaries with health care provided in military medical treatment facilities and through purchased care.

(B) To eliminate performance variability with respect to the provision of such health care.

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

(A) A synopsis of such event; and

(B) A description of any actions taken by the Secretary to improve patient safety, quality of care, and access to care at such facility.

(C) Data on surgical and maternity care outcomes during such year;

(D) Data on patient safety, quality of care, and access to care as compared to standards established by the Department with respect to patient safety, quality of care, and access to care.

SEC. 735. REPORT ON PLANS TO IMPROVE EXPERIENCE WITH AND ELIMINATE PERFORMANCE VARIABILITY OF HEALTH CARE PROVIDED BY THE DEPARTMENT OF DEFENSE.

(a) COMPREHENSIVE REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a comprehensive report setting forth the current and future plans of the Secretary, with estimated dates of completion, to carry out the following:

(A) To improve the experience of beneficiaries with health care provided in military medical treatment facilities and through purchased care.

(B) To eliminate performance variability with respect to the provision of such health care.

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

(A) A synopsis of such event; and

(B) A description of any actions taken by the Secretary to improve patient safety, quality of care, and access to care at such facility.
provided in military medical treatment facilities and through purchased care to improve the quality of such care, patient safety, and patient satisfaction.

(E) To develop a comprehensive management system, including by adoption of common measures for access to care, quality of care, safety, and patient satisfaction, that holds medical providers throughout the Department personally accountable for sustained improvement of performance.

(F) To use such other methods as the Secretary of Defense finds appropriate to improve the experience of beneficiaries with and eliminate performance variability with respect to health care received from the Department.

section (a)—

(1) IN GENERAL.—Not later than 180 days after the submittal of the comprehensive report required by subsection (a), the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the plans of the Secretary of Defense and the House of Representatives a report on the plans of the Armed Forces set forth in the comprehensive report submitted under such subsection.

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

(A) A plan to ensure the Secretary of Defense has adequately budgeted for the implementation of such plan.

(B) An assessment whether such plans can be reasonably achieved within the estimated dates of completion set forth by the Department and the House, in such subsection.

(C) An assessment whether any such plan would require legislative action for the implementation of such plan.

(D) An assessment whether the Department of Defense has adequately budgeted amounts to fund the carrying out of such plans.

DEFINITIONS.—In this section:

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan of the Department of Defense to improve pediatric care and related services for children of members of the Armed Forces.

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

(1) In order to ensure that children receive developmentally-appropriate and age-appropriate health care services from the Department, a plan to align preventive pediatric care under the TRICARE program with—

(A) standards for such care as required by the Patient Protection and Affordable Care Act (Public Law 111–148); and

(B) guidelines established for such care by the Early and Periodic Screening, Diagnosis, and Treatment program under the Medicaid program, as reauthorized bytitle XXI of the Social Security Act (42 U.S.C. 1396 et seq.); and

(C) recommendations by organizations that specialize in pediatrics.

(2) A plan to develop a uniform definition of “pediatric medical necessity” for the Department, to include recommendations of organizations that specialize in pediatrics in order to ensure that a consistent definition of such term is used in providing health care to beneficiaries at military medical treatment facilities and by health care providers under the TRICARE program.

(3) A plan to revitalize certification requirements for residential treatment centers of the Department to expand the access of children of members of the Armed Forces to such services.

(4) A plan to develop measures to evaluate and improve access to pediatric care, coordination of pediatric care, and health outcomes for such children.

(5) A plan to include an assessment of access to pediatric specialty care in the annual report to Congress on the effectiveness of the TRICARE program.

(6) A plan to improve the quality of and access to behavioral health care under the TRICARE program for such children, including intensive outpatient and partial hospitalization services.

(7) A plan to mitigate the impact of permanent changes of station and other service-related relocations of members of the Armed Forces on the health care services received by such children who have special medical or behavioral health needs.

(8) A plan to mitigate deficiencies in data collection, data utilization, and data analysis to improve pediatric care and related services for children of members of the Armed Forces.

(c) TRICARE PROGRAM DEFINED.—In this section, the term “TRICARE program” has the meaning given such term in section 1072 of title 10, United States Code.

SEC. 737. REPORT ON PRELIMINARY MENTAL HEALTH SCREENINGS FOR INDIVIDUALS BECOMING MEMBERS OF THE ARMED FORCES.

(a) REPORT ON RECOMMENDATIONS IN CONNECTION WITH SCREENINGS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on mental health screenings of individuals enlisting or accessioning into the Armed Forces before enlistment or accession.

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

(1) Recommendations with respect to establishing a secure, electronically-based preliminary mental health screening of members of the Armed Forces to bring mental health screenings to parity with physical screenings of members.

(2) Recommendations with respect to the composition of the mental health screening evidenced-based best practices, and how to track changes in mental health screenings relating to traumatic brain injuries, post-traumatic stress disorder, and other conditions.

(c) COORDINATION AND CONSULTATION.—The Secretary shall prepare the report under subsection (a) in coordination with the Secretary of Veterans Affairs, the Secretary of Health and Human Services, and the Surgeon General of the military departments; and in consultation with experts in the field, including the National Institute of Mental Health of the National Institutes of Health.

SEC. 737. COMPTROLLER GENERAL REPORT ON USE OF QUALITY OF CARE METRICS AT MILITARY TREATMENT FACILITIES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use by the Department of Defense of metrics with respect to the quality of care provided at military treatment facilities.

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

(1) The extent to which the Department of Defense and each military department use metrics to monitor and assess the quality of care provided at military treatment facilities.

(2) How, if at all, the use of such metrics varies among the Department of Defense and each military department.

(3) The extent to which the Department of Defense and each military department use the information from such metrics to identify and address issues such as the performance of individual health care providers and areas in need of improvement system-wide.

(4) Extent to which the Department of Defense and each military department oversee the process of using metrics to monitor and assess the quality of care provided at military treatment facilities.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Acquisition Policy and Management

SEC. 801. ROLE OF SERVICE CHIEFS IN THE ACQUISITION PROCESS.

(a) SERVICE CHIEFS AS CUSTOMER OF ACQUISITION PROCESS.—

(1) IN GENERAL.—Chapter 149 of title 10, United States Code, is amended by inserting after section 2546 the following new section:

"2546a. Customer-oriented acquisition system.

“(a) OBJECTIVE.—It shall be the objective of the defense acquisition system to meet the needs of its customers in the most cost-effective manner practicable. The acquisition policies, directives, and regulations of the Department of Defense shall be modified as necessary to ensure that the department implements a customer-oriented acquisition system.

“(b) CUSTOMER.—The customer of the defense acquisition system is the military service that will have primary responsibility for fielding the system or systems acquired. The customer is represented with regard to a major defense acquisition program by the Secretary of the relevant military department and the Chief of the relevant military service.

“(c) ROLE OF CUSTOMER.—The customer of a major defense acquisition program shall be responsible for balancing resources against priorities on the acquisition system and ensuring that appropriate trade-offs are made among cost, schedule, technical feasibility, and performance on a continuing basis throughout the life of the acquisition program.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 149 of such title is amended by inserting after the item relating to section 2546 the following new item:

"2546a. Customer-oriented acquisition system.”.

(b) RESPONSIBILITIES OF CHIEFS.—Section 2547a of title 10, United States Code, is amended—

(1) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;
(2) by inserting after paragraph (1) the following new paragraph:

‘‘(2) Decisions regarding the balancing of resources and priorities, and associated trade-offs, schedule, technical feasibility, and performance on major defense acquisition programs.’’; and

(3) in paragraph (6), as redesignated by paragraph (1), by amending the first sentence to read—

‘‘(6) DUTIES OF CHIEFS.—The Secretary shall designate a senior official of the Department of Defense and the Vice Chairman of the Joint Chiefs of Staff, as described in that subparagraph, the Secretary shall make the determination described in subparagraph (A), (B), or (C) of paragraph (1) that certain funds are necessary to address the deficiency in a timely manner.

‘‘(B) The authority of this section may only be used to acquire supplies and associated support services for an amount aggregating not more than $200,000,000 during any fiscal year.

‘‘(ii) in the case of determinations by the Secretary under paragraph (1)(B), in an amount aggregating not more than $200,000,000 during any fiscal year; and

‘‘(iii) in the case of determinations by the Secretary under paragraph (1)(C), in an amount aggregating not more than $200,000,000 during any fiscal year.

‘‘(4) NOTIFICATION TO CONGRESSIONAL DEFENSE COMMITTEES.—(A) In the case of a determination by the Secretary under paragraph (1)(A), the Secretary shall notify the congressional defense committees of the determination within 15 days after the date of the determination.

‘‘(B) In the case of a determination by the Secretary under paragraph (1)(B) the Secretary shall notify the congressional defense committees of the determination at least 10 days before the date on which the determination is effective.

‘‘(C) A notice under this paragraph shall include the following:

‘‘(i) The supplies and associated support services to be acquired.

‘‘(ii) The amount anticipated to be expended for the acquisition.

‘‘(iii) The source of funds for the acquisition.

‘‘(D) A notice under this paragraph shall be sufficient to fulfill any requirement to provide notification to Congress for a new start program.

‘‘(E) A notice under this paragraph shall be provided in consultation with the Director of the Office of Management and Budget.

‘‘(5) TIME FOR TRANSITIONING TO NORMAL ACQUISITION SYSTEM.—Any acquisition initiated under this subsection or any supplies and associated support services to be acquired under this subsection shall be completed no later than two years after the date on which the Secretary makes the determination described in paragraph (1)(B) that certain funds are necessary to address the deficiency in a timely manner.

‘‘(6) LIMITATION ON OFFICERS WITH AUTHORITY TO MAKE A DETERMINATION.—The authority to make a determination under subparagraph (A), (B), or (C) of paragraph (1) may be exercised only by the Secretary or Deputy Secretary of Defense.’’}

SEC. 803. MIDDLE TIER OF ACQUISITION FOR RAPID PROTOTYPING AND RAPID FIELDING.

(a) GUIDANCE REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Comptroller of the Department of Defense and the Vice Chairman of the Joint Chiefs of Staff, shall establish guidance for a ‘‘middle tier’’ of acquisition programs that are acquired in a period of two to five years.

(b) ACQUISITION PATHWAYS.—The guidance referred to in paragraph (a) shall include the following two acquisition pathways:

(1) RAPID PROTOTYPING.—The rapid prototyping pathway shall provide for the use of prototypes, other than fieldable prototypes, to demonstrate new capabilities and meet emerging military needs.
The objective of an acquisition program under this pathway shall be to field a prototype that can be demonstrated in an operational environment and provide for a streamlined and coordinated requirements, budget, and acquisition process that results in the development of an approved requirement for each program no later than 24 months from the time that the process is initiated. Programs that are subject to the guidance shall not be subject to the Joint Capabilities Integration and Development System Manual and Department of Defense Directive 8000.01, except to the extent specified in this subsection.

(c) EXPEDITED PROCESS.—

(1) IN GENERAL.—The guidance required by subsection (a) shall not apply for a streamlined program.

(2) RAPID FIELDING.—The rapid fielding pathway shall provide for the use of proven technologies to field production quantities of new or upgraded systems with minimal development required. The objective of an acquisition program under this pathway shall be to begin production within six months and complete fielding within five years of the development of an approved requirement.

(c) EXPEDITED PROCESS.—

(1) IN GENERAL.—The guidance required by subsection (a) shall provide for a streamlined and coordinated requirements, budget, and acquisition process that results in the development of an approved requirement for each program no later than 24 months from the time that the process is initiated. Programs that are subject to the guidance shall not be subject to the Joint Capabilities Integration and Development System Manual and Department of Defense Directive 8000.01, except to the extent specified in this subsection.

(c) EXPEDITED PROCESS.—

(1) IN GENERAL.—The guidance required by subsection (a) shall not apply for a streamlined program.

(2) RAPID FIELDING.—The rapid fielding pathway shall provide for the use of proven technologies to field production quantities of new or upgraded systems with minimal development required. The objective of an acquisition program under this pathway shall be to begin production within six months and complete fielding within five years of the development of an approved requirement.

(c) EXPEDITED PROCESS.—

(1) IN GENERAL.—The guidance required by subsection (a) shall provide for a streamlined and coordinated requirements, budget, and acquisition process that results in the development of an approved requirement for each program no later than 24 months from the time that the process is initiated. Programs that are subject to the guidance shall not be subject to the Joint Capabilities Integration and Development System Manual and Department of Defense Directive 8000.01, except to the extent specified in this subsection.

(c) EXPEDITED PROCESS.—

(1) IN GENERAL.—The guidance required by subsection (a) shall not apply for a streamlined program.

(2) RAPID FIELDING.—The rapid fielding pathway shall provide for the use of proven technologies to field production quantities of new or upgraded systems with minimal development required. The objective of an acquisition program under this pathway shall be to begin production within six months and complete fielding within five years of the development of an approved requirement.

(c) EXPEDITED PROCESS.—

(1) IN GENERAL.—The guidance required by subsection (a) shall provide for a streamlined and coordinated requirements, budget, and acquisition process that results in the development of an approved requirement for each program no later than 24 months from the time that the process is initiated. Programs that are subject to the guidance shall not be subject to the Joint Capabilities Integration and Development System Manual and Department of Defense Directive 8000.01, except to the extent specified in this subsection.

(c) EXPEDITED PROCESS.—

(1) IN GENERAL.—The guidance required by subsection (a) shall not apply for a streamlined program.

(2) RAPID FIELDING.—The rapid fielding pathway shall provide for the use of proven technologies to field production quantities of new or upgraded systems with minimal development required. The objective of an acquisition program under this pathway shall be to begin production within six months and complete fielding within five years of the development of an approved requirement.

(c) EXPEDITED PROCESS.—

(1) IN GENERAL.—The guidance required by subsection (a) shall provide for a streamlined and coordinated requirements, budget, and acquisition process that results in the development of an approved requirement for each program no later than 24 months from the time that the process is initiated. Programs that are subject to the guidance shall not be subject to the Joint Capabilities Integration and Development System Manual and Department of Defense Directive 8000.01, except to the extent specified in this subsection.

(c) EXPEDITED PROCESS.—

(1) IN GENERAL.—The guidance required by subsection (a) shall not apply for a streamlined program.

(2) RAPID FIELDING.—The rapid fielding pathway shall provide for the use of proven technologies to field production quantities of new or upgraded systems with minimal development required. The objective of an acquisition program under this pathway shall be to begin production within six months and complete fielding within five years of the development of an approved requirement.

(c) EXPEDITED PROCESS.—

(1) IN GENERAL.—The guidance required by subsection (a) shall provide for a streamlined and coordinated requirements, budget, and acquisition process that results in the development of an approved requirement for each program no later than 24 months from the time that the process is initiated. Programs that are subject to the guidance shall not be subject to the Joint Capabilities Integration and Development System Manual and Department of Defense Directive 8000.01, except to the extent specified in this subsection.
in the year prior to the date of that agreement are cooperative agreements or transactions that were entered into under this section or section 2371 of this title.

(B) Use of party, other entity, or subordinate element referred to in subparagraph (A) that the Comptroller General may examine records pursuant to a clause included in an agreement under paragraph (1) more than once, and that the final price paid by the United States under the agreement shall be determined in writing that—

(1) The head of the contracting activity that is carrying out the agreement may waive the costs before the transaction becomes effective in order to ensure the successful implementation of the transaction.

(2) The term "nontraditional defense contractor" means a small business concern as defined under section 3 of the Small Business Act (15 U.S.C. 632).

(3) Follow-on Production Contracts or Transactions.—(A) A transaction entered into under this section for a prototype project may provide for the award of a follow-on production contract or transactions to the participants in the transaction.

(B) Follow-on production contract or transaction provided for in a transaction under paragraph (4)(B) may be provided for in a transaction without the use of competitive procedures, notwithstanding the requirements of section 2304 of this title, if—

(1) competitive procedures were used for the selection of parties for participation in the transaction; and

(2) the participants in the transaction successfully completed the prototype project provided for in the transaction.

(4) The notification shall include the rationale for the determination.

(5) The Comptroller General may not examine records pursuant to a clause included in an agreement under paragraph (1) if the head of the contracting activity determines that it would not be in the public interest to apply the requirements to the agreement. The waiver shall be effective with respect to the agreement only if the head of the contracting activity transmits a notification of the waiver to Congress and the Comptroller General before entering into the agreement.

(6) Definitions.—In this section:

(A) the term "nontraditional defense contractor" has the meaning given the term "nontraditional defense contractor" in section 2302(9) of title 10, United States Code.

(B) the participants in the transaction are cooperative agreements or transactions referred to in such subparagraph that were entered into by that particular party, entity, or subordinate element.

(C) the term "contractor" has the meaning given the term "contractor" in section 2302(a)(1) of title 10, United States Code.

(D) research, development, test, and evaluation contractor' has the meaning given the term "research, development, test, and evaluation contractor" in section 2302(9) of title 10, United States Code.
authority to exercise the functions of the authority, direction, and control of the Department; such a description of the time or manner in which the underlying purpose of the law or regulation to be waived; and (e) NON-DELEGATION.—The authority of the Secretary of Defense is vested in the Secretary of Defense and regulations under subsection (a) is non-delegable. SEC. 807. ACQUISITION AUTHORITY OF THE COMMANDER OF UNITED STATES CYBER COMMAND.

(a) AUTHORITY.—

(1) IN GENERAL.—The Commander of the United States Cyber Command shall be responsible for, and shall have the authority to conduct, the following acquisition activities:

(A) Acquisition of cyber operations-peculiar equipment, and capabilities.

(B) Acquisition of cyber capability-peculiar equipment, capabilities, and services.

(2) ACQUISITION FUNCTIONS.—Subject to the authority, direction, and control of the Secretary of Defense, the Commander shall have authority to exercise the functions of the head of an agency under chapter 137 of title 10, United States Code.

(b) COMMAND ACQUISITION EXECUTIVE.—

(1) IN GENERAL.—The staff of the Commander shall include a command acquisition executive, who shall be responsible for the overall management of acquisition programs for the United States Cyber Command. The command acquisition executive shall have the authority—

(A) to negotiate memoranda of agreement with the military departments to carry out the acquisition of equipment, capabilities, and services described in subsection (a)(1) on behalf of the Commander;

(B) to supervise the procurement of equipment, capabilities, and services described in subsection (a)(1);

(C) to represent the Command in discussions with the military departments regarding acquisition programs for which the Command is a customer; and

(D) to work with the military departments to ensure that the Command is appropriately represented in any joint working group or integrated product team regarding acquisition programs for which the Command is a customer.

(2) DELIVERY OF ACQUISITION SOLUTIONS.—The command acquisition executive of the United States Cyber Command shall—

(A) responsible to the Commander for rapidly delivering acquisition solutions to meet validated cyber operations-peculiar requirements; and

(B) subordinate to the defense acquisition executive in matters of acquisition; (C) subject to the same oversight as the service acquisition executives; and

(D) included on the distribution list for acquisition directives and instructions of the Department of Defense.

(c) ACQUISITION PERSONNEL.—

(1) IN GENERAL.—The Secretary of Defense shall provide the United States Cyber Command with personnel equivalent to ten full-time equivalent personnel to support the Commander in fulfilling the acquisition responsibilities provided for under this section. The personnel may be assigned—

(A) program acquisition;

(B) the Joint Capabilities Integration and Development System Program;

(C) program management; and

(D) system engineering; and

(E) costing.

(2) EXISTING PERSONNEL.—The personnel provided under this subsection shall be provided from among the existing personnel of the United States Cyber Command.

(d) INSPECTOR GENERAL ACTIVITIES.—

The staff of the Commander of the United States Cyber Command shall include a representative from the United States Department of Defense Office of Inspector General who shall conduct internal audits and inspections of purchasing and contracting actions through the United States Cyber Command and such Inspector General functions as may be assigned.

(e) BUDGET.—In addition to the activities of a combatant command for which funding may be requested under section 1705 of title 10, United States Code, the budget proposal of the United States Cyber Command shall include requests for funding for—

(1) development and acquisition of cyber operations-peculiar equipment; and

(2) acquisition of other capabilities or services that are peculiar to offensive cyber operations activities.

(f) CYBER OPERATIONS PROCUREMENT FUND.—There is authorized to be appropriated for each of fiscal years 2016 through 2021, out of funds made available for procurement, $75,000,000 for a Cyber Operations Procurement Fund to support acquisition activities provided for under this section.

(g) RULE OF CONSTRUCTION REGARDING INTELLIGENCE AND SPECIAL ACTIVITIES.—Nothing in this section shall be construed to constitute authority to conduct any activity which, if carried out as an intelligence activity by the Department of Defense, would require a notice to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of Representatives under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.).

(h) SUNSET.—

(1) IN GENERAL.—The authority under this section shall terminate on September 30, 2021.

(2) LIMITATION ON DURATION OF ACQUISITION ACTIVITIES.—The authority under this section does not include the acquisition of defense acquisition programs or acquisitions of foundational infrastructure or software architectures the duration of which is expected to last more than five years.

SEC. 808. ADVISORY PANEL ON STREAMLINING AND CODIFYING ACQUISITION REGULATIONS.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish an advisory panel on streamlining and codifying acquisition regulations at the National Defense University and the National Defense University an advisory panel on streamlining acquisition regulations.

(b) MEMBERS.—The panel shall be composed of at least nine individuals who are recognized experts in acquisition and procurement policy. In making appointments to the advisory panel, the Under Secretary shall ensure that the members of the panel reflect diverse experiences in the public and private sectors.

(c) DUTIES.—The panel shall—

(1) review the acquisition regulations applicable to the Department of Defense with a view toward streamlining and improving the efficiency and effectiveness of the defense acquisition process and maintaining defense technology advantage; and

(2) make any recommendations for the amendment or repeal of such regulations that the panel considers necessary, as a result of such review, to—

(A) establish and administer appropriate buyer and seller relationships in the procurement system;

(B) improve the functioning of the acquisition system;

(C) ensure the continuing financial and ethical integrity of defense procurement programs;

(D) protect the best interests of the Department of Defense;

(E) eliminate any regulations that are unnecessary for the purposes described in subparagraphs (A) through (D); and

(F) ADMINISTRATIVE MATTERS.—

(A) GENERAL.—The Secretary of Defense shall provide the advisory panel established pursuant to subsection (a) with timely access to appropriate information, data, resources, and analysis so that the advisory panel may conduct a thorough and independent assessment as required under such subsection.

(2) INAPPLICABILITY OF FACIA.—The requirements of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory panel established pursuant to subsection (a).

(e) REPORT.—

(1) PANEL REPORT.—Not later than two years after the date on which the Secretary of Defense establishes the advisory panel, the panel shall transmit a final report to the Secretary.

(2) ELEMENTS.—The final report shall contain a detailed statement of the findings and conclusions of the panel, including—

(A) a history of each current acquisition regulation and a recommendation as to whether the regulation and related law (if applicable) should be retained, modified, or repealed; and

(B) such additional recommendations for legislation as the panel considers appropriate.

(3) INTERIM REPORTS.—(A) Not later than 6 months and 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit a report to or brief the congressional defense committees on the interim findings of the panel with respect to the elements set forth in paragraphs (1) and (2).

(B) The panel shall provide regular updates to the Secretary of Defense for purposes of providing the interim reports required under this paragraph.

(4) FINAL REPORT.—Not later than 30 days after receiving the final report of the advisory panel, the Secretary of Defense shall transmit the final report, together with such comments as the Secretary determines appropriate, to the congressional defense committees.

(f) DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND SUPPORT.—The Secretary of Defense may use amounts available in the Department of Defense Acquisition Workforce Development Fund established under section 1956 of title 10, United States Code, to support activities of the advisory panel under this section.
(a) Time-Requirements Process.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall review the requirements process with the goal of establishing an agile and streamlined system that develops requirements that provide stability and foundational direction for acquisition programs. The requirements system shall be informed by technological market research and provide a time-based or phased distinction between capabilities needed to be deployed within the next 2 years, within 5 years, and longer than 5 years.

(b) BUDGETING AND ACQUISITION SYSTEMS.—The Secretary shall review and ensure that the acquisition and budgeting systems are structured to meet time-based or phased requirements in a manner that is predictable, cost-effective, and efficient and takes advantage of emerging technological developments. The Secretary shall make all necessary changes in regulation and policy to achieve time-based requirements, budgeting, and acquisition system and shall identify and report to Congress within 180 days after the date of the enactment of this Act on any necessary impediments to achieving such a system.

SEC. 810. IMPROVEMENT OF PROGRAM AND PROJECT MANAGEMENT BY THE DEPARTMENT OF DEFENSE.

(a) DEPARTMENT-WIDE RESPONSIBILITIES OF SECRETARY OF DEFENSE.—In fulfilling the responsibilities under chapter 87 of title 10, United States Code, the Secretary of Defense shall—

(1) develop Department-wide standards, policies, and guidelines for program and project management for the Department of Defense based on appropriate and applicable nationally accredited standards for program and project management;

(2) develop polices to monitor compliance with the standards, policies, and guidelines developed under subparagraph (1); and

(3) engage with the private sector on matters relating to program and project management for the Department.

(b) TECHNICAL AND CONFORMING CHANGES.—

(1) in subparagraph (A), by striking ''or phased'' and inserting ''and phased''; and

(2) by inserting at the end the following:

``A period of 5 years or longer shall be considered a 10-year period.''

(c) OF SECTION 8557 OF TITLE 10.—Subsection (b) of section 8557 of title 10, United States Code, is amended by striking the period at the end and inserting '; or''.

SEC. 821. PREFERENCE FOR FIXED-PRICE CONTRACTS IN DETERMINING CONTRACT TYPE FOR DEVELOPMENT PROGRAMS.

(a) ESTABLISHMENT OF PREFERENCE.—Not later than 180 days after the date of the enactment of this Act, the Defense Federal Acquisition Regulation Supplement shall be revised to establish a preference for fixed-price contracts, including fixed-price incentive fee contracts, in the determination of contract type for development programs.

(b) TECHNICAL AND CONFORMING CHANGES.—

(1) in paragraph (3), by striking ''(1)'', inserting ''(2)'', and striking ''(3)'';

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

(3) in subparagraph (B), by striking ''or'' and inserting ''and''.

(c) OF SECTIONS 8001 AND 8002 OF TITLE 10.—Subsections (5) and (6) of section 8001 of title 10, United States Code, are amended by striking ''2007'' and inserting ''2015''.

SEC. 822. APPLICABILITY OF COST AND PRICING DATA AND CERTIFICATION REQUIREMENTS.

Section 2303a(b)(1) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking the period at the end and inserting a semicolon;

(2) in paragraphs (2) and (3), by striking the period at the end and inserting a semicolon; and

(3) in paragraph (4), by striking the period at the end and inserting a comma.

SEC. 823. RISK-BASED CONTRACTING FOR SMALLER CONTRACTS.

(a) RIGHTS IN TECHNICAL DATA RELATING TO MAJOR WEAPON SYSTEMS.—Paragraph (2) of
section 2321(f) of title 10, United States Code, is amended to read as follows:

“(2) In the case of a challenge to a use or release restriction that is asserted with respect to the performance of a contractor or subcontractor for a major system or a sub-system or component thereof on the basis that the major weapon system, subsystem, or component thereof has been developed exclusively at private expense—

“(A) the presumption in paragraph (1) shall apply—

“(i) with regard to a commercial sub-system or component of a major system, if the major system was acquired as a commercial item in accordance with section 2379(a) of this title; and

“(ii) with regard to any other component, if the component is a commercially available off-the-shelf item or a commercially available off-the-shelf item with modifications of a type customarily available in the commercial marketplace or minor modifications made to meet Federal Government requirements.

“(B) in all other cases, the challenge to the use or release restriction shall be sustained unless information provided by the contractor or subcontractor demonstrates that the item was developed exclusively at private expense.”.

(b) GOVERNMENT-INDUSTRY ADVISORY PANEL.

(1) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall establish a government-industry advisory panel for the purpose of reviewing sections 2320 and 2321 of title 10, United States Code, regarding rights in technical data and the validation of proprietary data restrictions and the regulations implementing such sections, for the purpose of ensuring that such statutory and regulatory requirements are best structured to serve the interests of the taxpayers and the national defense.

(2) MEMBERSHIP.—The panel shall be convened by an individual selected by the Under Secretary, and the Under Secretary shall ensure that—

(A) appropriate panel members of the advisory panel are knowledgeable about technical data issues and appropriately represent the three military departments, as well as the legal, acquisition, logistics, and research and development communities in the Department of Defense; and

(B) the private sector members of the advisory panel include independent experts and individuals appropriately representative of the diversity of interested parties, including large and small businesses, traditional and non-traditional defense contractors, prime contractors and subcontractors, suppliers of hardware and software, and institutions of higher education.

(3) SCOPE OF REVIEW.—In conducting the review required by paragraph (1), the advisory panel shall give appropriate consideration to the following factors:

(A) Ensuring that the Department of Defense does not pay more than once for the same work.

(B) Ensuring that Department of Defense contractors are appropriately rewarded for their innovation and invention.

(C) Providing for cost-effective procurement, maintenance, modification, and upgraded performance of Defense systems.

(D) Encouraging the private sector to invest in new products, technologies, and processes relevant to the missions of the Department of Defense.

(E) Ensuring that the Department of Defense has appropriate access to innovative products, technologies, and processes developed by the private sector for commercial use.

(F) FINAL REPORT.—Not later than September 30, 2015, the advisory panel shall submit its final report and recommendations to the Secretary of Defense. Not later than 60 days after receiving the report, the Secretary shall submit a copy of the report, together with any comments or recommendations, to the congressional defense committees.

SEC. 826. PROCUREMENT OF SUPPLIES FOR EXPERIMENTAL PURPOSES.

(a) ADDITIONAL PROCUREMENT AUTHORITY.—Subsection (a) of section 2520 of title 10, United States Code, is amended by inserting “transportation, energy, medical, space-flight, before “and aeronautical supplies”,

(b) APPLICABILITY.—Subsection 137 of Chapter 137 of Title 10, United States Code—

SEC. 827. EXTENSION OF AUTHORITY TO ACQUIRE PRODUCTS AND SERVICES PROCESSES ALONG A MAJOR ROUTE OF SUPPLY TO AFGHANISTAN.


SEC. 828. RENAMING PROVISIONS RELATED TO FAILURE OF CONTRACTORS TO MEET GOALS UNDER NEGOTIATED COMPETITIVE SBA BUSINESS SUBCONTRACTING PLANS.

Paragraph (2) of section 834(d) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (15 U.S.C. 637 note), as added by section 821(d)(2) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3434) is amended by inserting “by striking “may not negotiate” and all that follows through the period at the end” before “and inserting at the end of such paragraph the following: “After such report is made, if the contractor is not able to negotiate a subcontract or modified subcontract on reasonable terms, the contractor shall present a top-level description of the inability to negotiate a subcontract or modified subcontract, the reasons therefor, and an alternative approach designed to achieve the objectives of the Secretary of Defense.”.

SEC. 831. PILOT PROGRAM FOR STREAMLINING AWARDS FOR INNOVATIVE TECHNOLOGY PROJECTS.

(a) EXCEPTION FROM PRICED COST AND PRICING DATA REQUIREMENTS.—The requirements under section 2306(a) of title 10, United States Code, shall not apply to a contract or subcontract for a major defense acquisition program if the item was developed exclusively at private expense.

(b) EXCEPTION FROM RECORDS EXAMINATION REQUIREMENTS.—The records under section 2311 of title 10, United States Code, shall not apply to a contract valued at less than $7,500,000 awarded to a small business or non-traditional defense contractor pursuant to—

(c) CONTENTS.—The acquisition strategy for a major defense acquisition program is amended to read as follows:

SEC. 841. ACQUISITION STRATEGY REQUIRED FOR EACH MAJOR DEFENSE ACQUISITION PROGRAM.

(a) CONSOLIDATION OF REQUIREMENTS RELATING TO ACQUISITION STRATEGY.

(1) IN GENERAL.—Chapter 144 of title 10, United States Code, is amended by inserting after section 2431 the following new section:

SEC. 2431a. Acquisition strategy.

“(a) REQUIREMENT.—(1) There shall be an acquisition strategy for each major defense acquisition program. The acquisition strategy for a major defense acquisition program shall be reviewed by the milestone decision authority for the program under paragraphs (1) and (2) of section 2334 of title 10, United States Code, and approved by the Secretary of Defense as a result of the transfer of contracts from the General Services Administration to the Department of Defense.

“(b) GUIDANCE.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall issue policies and procedures governing the content of, and the review and approval process for, the acquisition strategy for each major defense acquisition program.

“(c) CONTENTS.—The acquisition strategy for each major defense acquisition program shall—

SEC. 856. TREATMENT OF INTERAGENCY AND STATE AND LOCAL PURCHASES WHEN THE DEPARTMENT OF DEFENSE CONTRACTS FOR SERVICES FROM A PRIVATE CONTRACTOR TO MEET GOALS IN THE AREA OF PROFESSIONAL SERVICES.

Contractors executing a contract for services in the Department of Defense as a result of the transfer of contracts from the General Services Administration or for which the Department serves as an owner or for services on behalf of the General Services Administration shall not be subject to requirements under chapter 148 of title 10, United States Code, to the extent that such services are purchases of products by other Federal agencies or State or local governments.
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the program within the resource constraints imposed. The strategy shall be tailored to address program requirements and constraints, and shall express the program manager’s approach to the program in sufficient detail to allow the milestone decision authority to assess the viability of approach, method of implementation of laws and policies, and the objective of the program. Subject to guidance issued pursuant to subsection (b), each acquisition strategy shall address the following:

(1) An acquisition approach, including industrial base considerations in accordance with section 2440 of this title, and consideration of alternative acquisition approaches.

(2) The strategy addressing the selection of sources, contract types, and small business participation.

(7) An intellectual property strategy, in accordance with section 239a of this title.

(8) An approach to international involvement, including foreign military sales and cooperative opportunities, in accordance with section 239a of this title.

(d) In this section, the term ‘milestone decision authority’, with respect to a major defense acquisition program, means the official with the Department of Defense designated with the overall responsibility and authority for acquisition decisions for the program, including authority to approve entry of the program into the next phase of the acquisition process.

(2) CLEARED AMENDMENT.—The table of sections at the beginning of this chapter is amended by inserting after section 2341 the following new item:

(2) A clearance authority may delegate the designation of Milestone B approval; or

(3) if the production of competitive prototypes is not practicable, the production of single prototypes at the system or subsystem level.


SEC. 843. DESIGNATION OF MILESTONE DECISION AUTHORITY.

SEC. 842. RISK REDUCTION IN MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) GUIDANCE ON RISK REDUCTION IN MAJOR DEFENSE ACQUISITION PROGRAMS.—The Secretary of Defense shall ensure that the acquisition strategy developed pursuant to section 803(b) of the United States Code, as added by section 801, for each major defense acquisition program for which development activities are required includes the following elements:

(1) A comprehensive approach to continuously identifying and addressing risk (including technical, cost, and schedule risk) beginning with program initiation and continuing until the start of full rate production as a means to improve programmatic decision making and appropriately minimize and manage program concurrency.

(2) Documentation of the major sources of risk identified and the approach to retiring that risk.

(b) ELEMENTS OF COMPREHENSIVE APPROACH TO RISK REDUCTION.—The comprehensive approach to identifying and addressing risk for purposes of subsection (a)(1) shall include some combination of the following elements as appropriate for the item or system being acquired:

(1) Development planning.

(2) Systems engineering.

(3) Integrated developmental and operational testing.

(4) Preliminary and critical design reviews and technical reviews.

(5) Prototyping (including prototyping at the system or subsystem level and competitive prototyping, where appropriate).

(6) Model-based systems engineering.

(7) Technology demonstrations and technology off ramps.

(8) Manufacturability and industrial base availability.

(9) Multiple design approaches.

(10) Alternative, lower risk reduced performance designs.

(11) Schedule and funding margins for or specific risks.

(12) Independent risk element assessments by outside subject matter experts.

(13) Program planning to address high risk areas as early as possible.

(c) PREFERENCE FOR PROTOTYPEING.—To the maximum extent practicable and consistent with the availability of financial resources, the milestone decision authority for each major defense acquisition program shall ensure that the acquisition strategy for the program provides for:

(1) The production of competitive prototypes at the system or subsystem level before Milestone B approval;

(2) If the production of competitive prototypes is not practicable, the production of single prototypes at the system or subsystem level.


SEC. 843. DESIGNATION OF MILESTONE DECISION AUTHORITY.

(a) IN GENERAL.—Section 2430 of title 10, United States Code, is amended by adding at the end the following new subsection:

(4)(A) The Secretary determines that the program is addressing a joint requirement;

(11) Schedule and funding margins for or specific risks.

(10) Alternative, lower risk reduced performance designs.

(9) Multiple design approaches.

(12) Independent risk element assessments by outside subject matter experts.

(13) Program planning to address high risk areas as early as possible.

(1) Production of competitive prototypes at the system or subsystem level before Milestone B approval; or

(2) If the production of competitive prototypes is not practicable, the production of single prototypes at the system or subsystem level.

(b) CLEARED AMENDMENT.—Section 133(b)(5) of such title is amended by inserting before the period at the end the following: ‘‘, except that the Under Secretary shall exercise advisory authority over the major defense acquisition programs for which the service acquisition executive is the milestone decision authority.’’

(c) IMPLEMENTATION.—

(1) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for implementing subsection (d) of section 2430 of title 10, United States Code, as added by subsection (a).

(2) GUIDANCE.—The Deputy Chief Management Officer of the Department of Defense,
in consultation with the Under Secretary of Defense for Acquisition, Technology and Logistics and the service acquisition executives, shall issue guidance to ensure that by not later than October 1, 2016, the acquisition policy, guidance, and practices of the Department of Defense conform to the requirements of subsection (d) of section 2430 of title 10, United States Code, as added by subsection (a) of this section. The guidance shall be designed to ensure a streamlined decision-making and approval process and to minimize any information requests, consistent with the requirement of paragraph (4)(A) of such subsection (d).

(3) EFFECTIVE DATE.—The amendments made by subsection (a) and (b) shall take effect on October 1, 2016.

SEC. 844. REVISION OF MILESTONE B DECISION AUTHORITY RESPONSIBILITIES FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REVISION TO MILESTONE A REQUIREMENTS.—

(1) IN GENERAL.—Section 2366a of title 10, United States Code, is amended to read as follows:

"§ 2366a. Major defense acquisition programs: responsibilities at Milestone A approval.

"(a) Responsibilities.—Before granting Milestone A approval for a major defense acquisition program or a major subprogram, the milestone decision authority for the program shall ensure that—

"(1) information about the program or subprogram is sufficient to warrant entry of the program or subprogram into the risk reduction phase;

"(2) the Secretary of the relevant military department and the chief of the relevant military service concur in cost, schedule, technical feasibility, and performance trade-offs that have been made with regard to the program and;

"(3) there are sound plans for progression of the program or subprogram to the development phase.

"(b) Considerations.—In carrying out subsection (a), the milestone decision authority shall take appropriate action to ensure that—

"(1) the program or subprogram—

"(A) meets a joint military requirement and responds to an anticipated or likely threat;

"(B) has been developed in light of appropriate trade-offs and a review of alternative approaches and does not unnecessarily duplicate a capability already provided by an existing system; and

"(C) is affordable in light of cost estimates developed pursuant to the guidance of the Director of Cost Assessment and Program Evaluation and

"(2) acquisition strategy for the program or subprogram—

"(A) identifies areas of risk and, for each such identified area of risk, includes a plan to reduce those risks;

"(B) addresses planning for sustainment; and

"(C) complies with the requirements of section 2431a of this title and the policies and procedures implementing such section; and

"(3) the program or subprogram meets any other considerations the milestone decision authority considers relevant.

"(c) Notification.—Not later than 30 days after granting Milestone A approval for a major defense acquisition program or major subprogram, the milestone decision authority for that program or subprogram shall submit to the congressional defense committees responsible for the approval in writing. The milestone decision authority’s decision memorandum with respect to such approval shall be available to the congressional defense committees upon request, consistent with any relevant classification requirements.

"(d) Definitions.—In this section:

"(1) The term ‘major defense acquisition program’ means a Department of Defense acquisition program that is a major defense acquisition program for purposes of section 2430 of this title.

"(2) The term ‘major subprogram’ means a major subprogram of a major defense acquisition program designated under section 2430a(a)(1) of this title.

"(3) The term ‘milestone decision authority’, with respect to a major defense acquisition program or a major subprogram, means the official within the Department of Defense designated with the overall responsibility and authority for acquisitions decisions for the program or subprogram, including authority to approve entry of the program or subprogram into the next phase of the acquisition lifecycle.

"(4) The term ‘Milestone A approval’ means a decision to enter into a risk reduction phase pursuant to guidance prescribed by the Secretary of Defense for the management of Department of Defense acquisition programs.

"(5) The term ‘joint military requirement’ has the meaning given that term in section 181(g)(1) of this title.

"(6) The term ‘life-cycle sustainment planning, in including assessment of risk in the operational environment, as determined by the Milestone Decision Authority on the basis of an independent review and assessment by the Assistant Secretary of Defense for Research and Engineering, in consultation with the

Deputy Assistant Secretary of Defense for Developmental Test and Evaluation.

"(b) Determination.—A major defense acquisition program may not receive Milestone B approval until the milestone decision authority certifies that the technology in the program has been demonstrated in a relevant environment, as determined by the Milestone Decision Authority on the basis of an independent review and assessment by the Assistant Secretary of Defense for Research and Engineering, in consultation with the
the determination of the milestone decision authority under subsection (b); or

"(B) otherwise cause the program or sub-
program to deviate significantly from the man-
tested process provided to the milestone deci-
sion authority in support of such certification or
determination." (2) Upon receipt of information, the milestone decision authority may either deny the certification or determination concerned or rescind Milestone B approval (or Key Decision Point B approval) if the milestone decision authority determines that such certification, determination, or approval is no longer valid.

"(d) SUBMISSION TO CONGRESS.—(1) The cer-
tification required under subsection (a) shall be submitted to the congressional defense committees with the first Selected Acquisition Report submitted under section 2432 of this title after completion of the cer-
tification.

"(2) A summary of any information pro-
vided to the milestone decision authority pursuant to subsection (c) and a description of the actions taken as a result of such infor-
mation shall be submitted with the first Se-
lected Acquisition Report submitted under section 2432 of this title after receipt of such information by the milestone decision au-
thority.

"(e) WAIVER FOR NATIONAL SECURITY.—(1) The milestone decision authority may waive the applicability to a major defense acquisition program of the certification requirement under subsection (a) or one or more components thereof if the determination under subsection (b) with respect to a major defense acquisition program shall be submitted to the congressional defense committees with the first Selected Acquisition Report submitted under section 2432 of this title after completion of the cer-
tification.

"(2) Whenever the milestone decision au-
thority makes such a determination and au-
thorizes a waiver, the waiver, the determi-
nation, and the reasons for the determina-
tion shall be submitted in writing to the con-
gressional defense committees within 30 days after the waiver is authorized.

"(f) NONDELEGATION.—The milestone deci-
sion authority may not delegate the certifi-
cation requirement under subsection (a), the determination requirement under subsection (b), or the authority to waive any component of such requirement under subsection (e).

"(g) This section—

"(1) The term ‘major defense acquisition program’ means a Department of Defense ac-
quisition program that is a major defense ac-
quision program for purposes of section 2301 of this title.

"(2) The term ‘designated major subpro-
gram’ means a major subprogram of a major defense acquisition program designated under section 2389a(a)(1) of this title.

"(3) The term ‘milestone decision author-
ity’, with respect to a major defense acquisi-
tion program, means the individual within the Department of Defense designated with overall responsibility for the program.

"(4) The term ‘Milestone B approval’ has the mean-
ing provided in that term in section 2386(e)(7) of this title.

"(5) The term ‘core logistics capabilities’ means the core logistics capabilities identified under section 2366(a) of this title.

(b) CONSIDERATIONS IN MAKING MILESTONE B DETERMINATIONS.—In making a Milestone B determination, the milestone decision authority shall review the acquisi-
tion strategy required by section 2431a of title 10, United States Code, the milestone decision authority shall review the acquisi-
tion strategy required by section 2431a of this Act and include consideration of the following:

"(1) With respect to affordability, the fac-
tors outlined under section 2334 of title 10, United States Code, shall be consid-
ered.

"(2) With respect to risk, the factors out-
lined under—

"(A) section 842; and

"(B) section 138(b) of title 10, United States Code.

"(3) With respect to military authorization, the factors outlined under section 181 of title 10, United States Code.

"(4) With respect to competition—

"(A) the factors outlined under section 262 of the Weapon Systems Acquisition Reform Act of 2009 (Public Law 111-23; 10 U.S.C. 2430 note); and

"(B) the requirements of section 2304 of title 10, United States Code.

"(5) With respect to sustainment, the fac-
tors outlined under section 2337 and section 2461 of title 10, United States Code.

"(c) CONFORMING CHANGE.—Section 2334(a) of title 10, United States Code, is amended in paragraph (4)(A) by striking— ‘any certification under’ and inserting in lieu thereof ‘any decision to grant milestone approval pursuant to—

SEC. 846. TENURE AND ACCOUNTABILITY OF PROGRAM MANAGERS FOR PROGRAM DEVELOPMENT PERIODS.

(a) REVISED GUIDANCE REQUIRED.—Not later than 180 days after date of the enact-
ment of this Act, the Secretary of Defense shall revise Department of Defense guidance for defense acquisition programs to address the tenure and accountability of program managers responsible for the development period of defense acquisition programs.

(b) PROGRAM DEVELOPMENT PERIOD.—For the purpose of this section, the term ‘pro-
gram development period’ refers to the pe-
riod before a Milestone B approval (or Key Decision Point B approval in the case of a space program).

(c) RESPONSIBILITIES.—The revised guid-
ance required by subsection (a) shall provide that program managers responsible for the program development period of a defense acquisition program are responsible for—

"(1) bringing to maturity the technologies and manufacturing processes that will be needed to carry out the program;

"(2) ensuring continuing focus during pro-
gram development on meeting stated mis-
sion requirements and other requirements of the Department of Defense;

"(3) making trade-offs between program cost, schedule, and performance for the life-
cycle of the program;

"(4) developing a business case for the pro-
gram; and

"(5) ensuring that appropriate information is available to the decision au-
thority to make a decision on Milestone B approval (or Key Decision Point B approval in the case of a space program), including in-
formation necessary to make the certifi-
cation required by section 2366(a) of title 10, United States Code.

(d) QUALIFICATIONS, RESOURCES, AND TEN-
URE.—The Secretary shall ensure that each program manager for the program develop-
ment period of a defense acquisition program—

"(1) has the appropriate management, engi-
nearing, technical, and financial expertise needed to meet the responsibilities assigned pursuant to subsection (c);

"(2) is provided the resources and support (including systems engineering expertise, cost estimating expertise, and software de-
velopment expertise) needed to meet such re-
sponsibilities; and

"(3) is assigned to the program manager po-
sition for such program until such time as such program is ready for a decision on Mile-
stone B approval (or Key Decision Point B approval in the case of a space program), termi-

SEC. 847. TENURE AND ACCOUNTABILITY OF PROGRAM MANAGERS FOR PROGRAM EXECUTION PERIODS.

(a) REVISED GUIDANCE REQUIRED.—Not later than 180 days after the date of the en-
actment of this Act, the Secretary of De-
fense shall revise Department of Defense guidance for defense acquisition programs to address the tenure and accountability of program managers for the program execution period of defense acquisition programs.

(b) PROGRAM EXECUTION PERIOD.—For pur-
poses of this section, the term ‘program exe-
cution period’ refers to the period after Milestone B approval (or Key Decision Point B approval in the case of a space program).

(c) RESPONSIBILITIES.—The revised guid-
ance required by subsection (a) shall provide that the milestones execution period of a defense acquisition program is responsible for—

"(1) establishing expected parameters for the cost, schedule, and performance of the pro-
gram consistent with the business case for the program;

"(2) providing the commitment of the mile-
stone decision authority to make the level of funding and resources required to meet such parameters; and

"(3) providing the assurance of the program manager that such parameters are achiev-
able and that the program manager will be accountable for meeting such parameters; and

"(2) provide the program manager with the authority to—

"(A) veto the addition of new program re-
quirements that would be inconsistent with the parameters established in the perform-
ance agreement entered into pursuant to paragraph (1), subject to the authority of the Under Secretary of Defense for Acquisition, Technology, and Logistics to override the veto based on critical national security rea-
sons;

"(B) make trade-offs between cost, schedule, and performance, provided that such trade-
offs are consistent with the parameters es-
ablished in the performance agreement entered into pursuant to paragraph (1); and

"(C) establish the performance agreement entered into pursuant to par-
agraph (1); and

"(D) develop such interim goals and mile-
stones as may be required to achieve the pa-
terms established in the performance agreement entered into pursuant to para-
graph (1); and

"(E) use program funds to recruit and hire such technical experts as may be required to carry out the program, if necessary expertise is not otherwise provided by the Department of Defense.

(d) QUALIFICATIONS, RESOURCES, AND TEN-
URE.—The Secretary shall ensure that each program manager for the program execute-

"(1) responsible for achieving the milestones execution period of a defense acquisition program—

"(2) is assigned to the program manager po-
sition for such program at the time of Mile-
stone B approval (or Key Decision Point B approval in the case of a space program) and

"(3) is assigned to the program manager po-
sition for such program until such time as the time of Mile-
stone B approval (or Key Decision Point B approval in the case of a space program) and
§ 2434. Independent cost estimates.

(1) The program is so complex, and the delivery of the first production units will take so long, that it would not be feasible for a single agency to serve as program manager for the entire period covered by such paragraph; and

(2) The complexity of the program, and length of time that will be required to deliver the first production units, are not the result of a failure to meet the certification requirements under section 2366a of title 10, United States Code.

SEC. 848. REPEAL OF REQUIREMENT FOR STAND-ALONE MANPOWER ESTIMATES FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) REPEAL OF REQUIREMENT.—Subsection (a)(1) of section 2434 of title 10, United States Code, which provides that the estimates shall be incorporated in a single individual to serve as program manager for the entire period covered by such paragraph and inserting “has.”

(b) CONFORMING AMENDMENTS RELATING TO REQUIREMENTS.—Subsection (b) of such section is amended—

(1) by striking paragraph (2);

(2) by striking “shall require—” and all that follows such paragraph that is referred to as the “independent” and inserting “shall require that the independent”;

(3) by redesigning subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and moving those paragraphs, as so redesignated, two ems to the left; and

(4) in paragraph (2), as so redesignated—

(A) by inserting “operations and support,” and inserting “operations and support, and manpower to operate, maintain, and support the program upon full operational deployment,”; and

(B) by striking “; and” and inserting a period.

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows: “§ 2434. Independent cost estimates”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 144 of such title is amended by striking the item relating to section 2434 and inserting the following: “2434. Independent cost estimates.”

SEC. 851. CONFIGURATION STEERING BOARDS FOR COST CONTROL UNDER MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) APPlicABILITY.—The Secretary of Defense may require an independent cost estimate for the procurement of any major defense acquisition program.

(b) CONFORMING AMENDMENTS.—Section 814(c)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4529) is amended—

(1) by redesigning subparagraphs (A), (B), and (C) as subparagraphs (B), (C), and (D), respectively; and

(2) by inserting after “for the following:” the following new subitem:

(A) Monitoring changes in program requirements and ensuring all such changes receive the approval of the Chief of the military department with which the Secretary of the relevant military department.”.

Subtitle D—Provisions Relating to Commercial Items

SEC. 851A. INAPPLICABILITY OF CERTAIN LAWS AND REGULATIONS TO THE ACQUISITION OF COMMERCIAL ITEMS AND COMMERCIAL ITEMS AVAILABLE OFF-THE-SHELF.

(a) AMENDMENT TO TITLE 10, UNITED STATES CODE.—Section 2375 of title 10, United States Code, is amended—

(1) by redesigning paragraphs (1), (2), and (3) of subsection (b) as paragraphs (A), (B), and (C), respectively; and

(2) by inserting a new subitem:

(A) by striking the item relating to paragraph (1) and the item relating to paragraph (2) and inserting the following:

"§ 2375. Relationship of commercial item provisions to other provisions of law

(a) APPlicABILITY OF GOVERNMENT-WIDE STATUTES.—(1) No contract for the procurement of a commercial item entered into by the head of an agency shall be subject to any law properly listed in the Federal Acquisition Regulation pursuant to section 1906(b) of title 41.

(2) No contract under a contract for the procurement of a commercial item entered into by the head of an agency shall be subject to any law properly listed in the Federal Acquisition Regulation pursuant to section 1906(c) of title 41.

(3) No contract for the procurement of a commercial item entered into by the head of an agency shall be subject to any law properly listed in the Federal Acquisition Regulation pursuant to section 1907 of title 41.

(b) APPlicABILITY OF DEFENSE-UNIQUE STATUTES TO CONTRACTS FOR COMMERCIAL ITEMS.—(1) The Defense Federal Acquisition Regulation Supplement shall include a list of defense-unique provisions of law that are inapplicable to contracts for the procurement of commercial items. A provision of law properly included on the list pursuant to paragraph (2) does not apply to purchases of commercial items by the Department of Defense. This section does not render a provision of law not included on the list inapplicable to contracts for the procurement of commercial items.

(2) A provision of law described in subsection (a) that is enacted after January 1, 2015, shall be included on the list of inapplicable provisions of law required by paragraph (1) unless the Under Secretary of Defense for Acquisition, Technology, and Logistics makes a written determination that it would not be in the best interest of the Department of Defense to exempt contracts for the procurement of commercial items from the inapplicability of the provision.

(c) APPlicABILITY OF DEFENSE-UNIQUE STATUTES TO SUBCONTRACTS FOR COMMERCIAL ITEMS.—(1) The Defense Federal Acquisition Regulation Supplement shall include a list of provisions of law that are inapplicable to subcontracts under a Department of Defense contract or subcontract for the procurement of commercial items. A provision of law properly included on the list pursuant to paragraph (1) does not apply to those subcontracts. This section does not render a provision of law not included on the list inapplicable to subcontracts under a contract for the procurement of commercial items.

(2) A provision of law described in subsection (a) that is enacted after January 1, 2015, shall be included on the list of inapplicable provisions of law required by paragraph (1) unless the Under Secretary of Defense for Acquisition, Technology, and Logistics makes a written determination that...
it would not be in the best interest of the Department of Defense to exempt subcontracts under a contract for the procurement of commercial items from the applicability of the provisions of law described in subsection (c).”

“(3) In this subsection, the term ‘subcontract’ includes a transfer of commercial items or services by a Department of Defense contractor to a first-tier subcontractor, or to an entity that is a subsidiary, wholly owned affiliate of, or affiliate of a contractor or subcontractor. The term does not include agreements entered into by a contractor for the supply of commodities that are intended for use in the procurement of multiple contracts with the Department of Defense and other parties and are not identifiable to any particular contract.”

“(4) This subsection does not authorize the waiver of the applicability of any provision of law with respect to any first-tier subcontractor or any subcontractor of a first-tier subcontractor reselling or distributing commercial items of another contractor without adding value.”

“(d) Applicability of Defense-unique Statutes to Contracts for Commercially Available, Off-the-shelf Items.—(1) The Defense Federal Acquisition Regulation Supplement shall include a list of provisions of law that are inapplicable to contracts for the procurement of commercial items available off-the-shelf unless such provisions of law are included on the list pursuant to paragraph (2).”

“(2) does not apply to Department of Defense contracts for the procurement of commercial items available off-the-shelf unless the provision does not render a provision of law not included on the list inapplicable to contracts for the procurement of commercially available off-the-shelf items.”

“(2) A provision of law described in subsection (e) shall be included on the list of inapplicable provisions of law required by paragraph (1) unless the Under Secretary of Defense for Acquisition, Technology, and Logistics makes a written determination that it would not be in the best interest of the Department of Defense to exempt contracts for the procurement of commercially available off-the-shelf items from the applicability of the provision.”

“(e) Covered Provision of Law.—A provision of law referred to in subsections (b)(2), (c)(2), and (d)(2) is a provision of law that the Under Secretary of Defense for Acquisition, Technology, and Logistics determines, forthwith, procedures, requirements, or restrictions for the procurement of property or services by the Federal Government, except for a provision of law that—

“(1) provides for criminal or civil penalties; or

“(2) specifically refers to this section and provides that, notwithstanding this section, it shall be applicable to contracts for the procurement of commercial items.”

“(f) Covered Provision of Law.—A provision of law referred to in subsections (b)(2), (c)(2), and (d)(2) is a provision of law that the Under Secretary of Defense for Acquisition, Technology, and Logistics determines, forthwith, procedures, requirements, or restrictions for the procurement of property or services by the Federal Government, except for a provision of law that—

“(1) provides for criminal or civil penalties; or

“(2) specifically refers to this section and provides that, notwithstanding this section, it shall be applicable to contracts for the procurement of commercial items.”

“(g) Market Research Defined.—For the purposes of this section, the term ‘market research’ means a review of existing systems, subsystems, capabilities, and technologies that are available or could be made available to meet the needs of the Department of Defense in whole or in part. The review may include any of the techniques for conducting market research provided in section 10.002(b)(2) of the Federal Acquisition Regulation and shall include, at a minimum, contacting representatives of Government and industry regarding existing market capabilities.”

“SEC. 863. CONTINUING VALIDITY OF COMMERCIAL ITEMS DETERMINATIONS.

“(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Defense Federal Acquisition Regulation Supplement shall be modified to address the validity of commercial item determinations for multiple procurements.”

Amendments to Requirements Related to Major Weapon Systems.—Section 2379 of title 10, United States Code, is amended—

“(2) by striking ‘section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))’ and inserting ‘section 104 of title 41, United States Code’; and

“(3) in subsection (b), by striking the semicolon at the end and inserting ‘;’; and

“(4) by striking ‘section 431(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))’ and inserting ‘section 104 of title 41, United States Code’.”

“SEC. 864. TREATMENT OF COMMERCIAL ITEMS PURCHASED AS MAJOR WEAPON SYSTEMS.

“(a) Amendments to Requirements Related to Major Weapon Systems.—Section 2379 of title 10, United States Code, is amended—

“(1) in subsection (a)—

“(A) in paragraph (1)—

“(i) by striking ‘section 431(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))’ and inserting ‘section 104 of title 41, United States Code’; and

“(ii) in subparagraph (B), by striking ‘‘in writing that the subsystem’’ and inserting ‘‘in writing that the sub-system’’; and

“(iii) by striking ‘section 431(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))’ and inserting ‘section 104 of title 41, United States Code’; and

“(2) by striking paragraph (2); and

“(3) in subsection (b)—

“(A) by striking ‘section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))’ and inserting ‘section 103 of title 41, United States Code’; and

“(B) in paragraph (2)—

“(i) by striking ‘‘in writing that’’— and all that follows through ‘‘the component’’ and inserting ‘‘in writing that the component’’; and

“(ii) by striking ‘section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 468(12))’ and inserting ‘section 103 of title 41, United States Code’; and

“(iii) by striking subparagraph (B); and

“(4) by amending subsection (d) to read as follows—

“(d) Information Submitted.—(1) To the extent necessary to determine the reasonableness of the price for items acquired under this section, the contracting officer shall require the offeror to submit—

“(i) a written representation of the price for items acquired under this section, and

“(ii) a written representation of the price for items acquired under this section.”

“(2) The modification required by paragraph (1) shall, at a minimum—

“(A) provide that a written determination by an authorized official that an item is a commercial item for the purposes of section 2306a of title 10, United States Code, under circumstances prescribed by the Secretary of Defense, or an earlier determination by the contracting officer for such procurement determines in writing that the earlier determination was made in error or was based on inadequate information; and

“(B) allow the contracting officer to modify the earlier determination made in error or was based on inadequate information to the head of contracting for the agency.”
“(A) prices paid for the same or similar commercial items under comparable terms and conditions by both government and commercial customers; and

(B) any other relevant information that can serve as the basis for a price assessment; and

(C) if the contracting officer determines that the information submitted pursuant to subparagraph (A) and (B) is not sufficient to determine the reasonableness of price, other relevant information regarding the basis for price or cost, including information on labor costs, material costs, and overhead rates.

“(2) An offeror may not be required to submit information described in paragraph (1)(C), if the offeror does not have access to and cannot provide sufficient information on prices for the same or similar levels of work or effort or related products or services.

“(3) The estimated cost of foregone re-search and development to be performed by existing contractors to improve future products or services.

“(iv) other relevant information that can serve as the basis for a price assessment; and

“(v) with other relevant information that can serve as the basis for a price assessment; and

(ii) prices for similar levels of work or effort or related products or services.

sec. 865. treatment of goods and services procured from non-commercial items

(a) limita—

(i) in general—The Secretary of Defense may not convert the procurement of commercial items or services from commercial acquisition procedures under part 12 of the Federal Acquisition Regulation to non-commercial items procured from non-commercial acquisition procedures under part 15 of the Federal Acquisition Regulation unless the Secretary certifies to the Congress that—

(A) the estimated cost of foregone research and development to be performed by the existing contractor to improve future products or services.

(B) the transaction costs for the Department of Defense and the contractor in assessing and responding to data requests to support conversions to non-commercial acquisition procedures.

(C) all processes and developing and deploying defense business systems.

(D) the system has an acquisition strategy that prioritizes use of commercial software and business practices.

(E) the system has an acquisition strategy that prioritizes use of commercial software and business practices.

(F) an offeror may not be required to submit information described in paragraph (1)(C), if the offeror does not have access to and cannot provide sufficient information on prices for the same or similar levels of work or effort or related products or services.

(G) if the contracting officer determines that the information submitted pursuant to subparagraph (A) and (B) is not sufficient to determine the reasonableness of price, other relevant information regarding the basis for price or cost, including information on labor costs, material costs, and overhead rates.

(H) any other relevant information that can serve as the basis for a price assessment; and

(I) if the contracting officer determines that the information submitted pursuant to subparagraph (A) and (B) is not sufficient to determine the reasonableness of price, other relevant information regarding the basis for price or cost, including information on labor costs, material costs, and overhead rates.

(2) reports—

(I) the Secretary of Defense shall prepare an inventory of all contracts and subcontracts converted from commercial acquisition procedures to non-commercial procurement procedures; and

(II) the Secretary of Defense shall prepare an inventory of all contracts and subcontracts converted from commercial acquisition procedures to non-commercial procurement procedures; and

(III) the Secretary of Defense shall prepare an inventory of all contracts and subcontracts converted from commercial acquisition procedures to non-commercial procurement procedures; and

(IV) the Secretary of Defense shall prepare an inventory of all contracts and subcontracts converted from commercial acquisition procedures to non-commercial procurement procedures; and

(V) the Secretary of Defense shall prepare an inventory of all contracts and subcontracts converted from commercial acquisition procedures to non-commercial procurement procedures; and

(b) acquisition procedures to non-commercial items or services from commercial items or services shall be converted from commercial acquisition procedures to non-commercial procedures.

(1) in general—The Secretary of Defense shall prepare an inventory of all contracts and subcontracts converted from commercial acquisition procedures to non-commercial procurement procedures; and

(2) reports—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on each conversion identified in the inventory prepared under paragraph (1) that identifies and compares the estimated costs paid for the item or service under commercial acquisition procedures with those paid under non-commercial procurement procedures.

(3) review of reports—Not later than 180 days after the Secretary of Defense submits a report under subparagraph (b)(2), the Secretary of Defense shall submit to the congressional defense committees a report of the average of the report.

(4) recommendations—In making recommendations under subparagraph (A), the Secretary shall consider the following factors:

(i) industry, business conditions.

(ii) the estimated cost of foregone re-search and development to be performed by existing contractors to improve future products or services.

(iii) the transaction costs for the Department of Defense and the contractor in assessing and responding to data requests to support conversions to non-commercial acquisition procedures.

(iv) costs associated with potential pro- curement delays resulting from conversions.

(b) factors.—In making recommendations under subparagraph (A), the Comptroller General shall consider the following factors:

(i) industry, business conditions.

(ii) the estimated cost of foregone re-search and development to be performed by existing contractors to improve future products or services.

(iii) the transaction costs for the Department of Defense and the contractor in assessing and responding to data requests to support conversions to non-commercial acquisition procedures.

(iv) costs associated with potential pro- curement delays resulting from conversions.

(c) decision making for, the planning, programming, and control of investments in covered defense business systems.

(d) supporting guidance.—The Secretary shall direct the Deputy Chief Management Officer of the Department of Defense, the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Chief Information Officer, and the Chief Management Officer of each of the military departments to issue and maintain supporting guidance to ensure that defense business processes are reviewed, and as appropriate revised through business process reengineering to match best commercial practices, and that maximum extent practicable, so as to minimize customization of commercial business systems.

(e) issuance of guidance.—(1) secretary of defense guidance.—The Secretary shall issue guidance to provide for the coexistence of dual processes making for, the planning, programming, and control of investments in covered defense business systems.

(f) limiting the maximum extent practicable, so as to minimize customization of commercial business systems.

(g) supporting guidance.—The Secretary shall direct the Deputy Chief Management Officer of the Department of Defense, the Under Secretary of Defense for Acquisition, Technology, and Logistics, the Chief Information Officer, and the Chief Management Officer of each of the military departments to issue and maintain supporting guidance to ensure that defense business processes are reviewed, and as appropriate revised through business process reengineering to match best commercial practices, and that maximum extent practicable, so as to minimize customization of commercial business systems.
to tailor commercial-off-the-shelf systems to meet unique requirements or incorporate unique requirements or incorporate unique interfaces to the maximum extent practicable; and

(2) The system is in compliance with the Department's auditability requirements.

(2) For any fiscal year in which funds are appropriated to develop any system, or to sustain any system, under this section, the program manager shall certify, in a certification submitted to Congress under section 221 of this title in excess of $250,000,000; or,...

SEC. 787. UNIFIED INFORMATION TECHNOLOGY SERVICES.

(a) Business Case Analysis.—Not later than one year after the date of the enactment of this Act, the Deputy Chief Management Officer, the Chief Information Officer of the Department of Defense, and the Acting Comptroller General of the United States shall submit to Congress a unified business case analysis, using the resources of the Director of Defense Information Technology and the Director of Defense Information Technology Integration and Evaluation, to determine the most effective and efficient way to procure and deploy information technology services.

(b) Modifications to Biennial Strategic Plan.—Section 11b(d) of title 10, United States Code, is amended—

(b)(1), by striking “the defense acquisition workforce, including both military and civilian personnel” and inserting “the military, civilian, and contractor personnel that directly support the acquisition processes of the Department of Defense, including persons in technical-relevant positions designated by the Secretary of Defense under section 1721 of this title”;

(b)(2)(D), by striking “; and” and inserting a semicolon;

(b)(3) by redesignating clause (ii) as clause (iii); and

(b)(3)(B) by redesigning clause (ii) as clause (iii); and

(b)(3)(C) by inserting after clause (i) the following new clause:

(“(iii) a national security system; or

(iv) a financial data feeder system.

(v) A planning and budgeting system.

(vi) A logistics system.

(vii) A training and budgeting system.

(viii) An installations management system.

(ix) A human resources management system.

(x) A training and readiness system.

(xi) The term ‘program manager’ means the individual within the Department of Defense designated with the responsibility to grant milestone approvals for that program.

(xii) A business process reengineering; enter-

process reengineering; enter-

prise architecture; manage-

(b) Implementation of Previously Enacted Title Change.—Effective February 1, 2017, section 2222 of title 10, United States Code, and the 108th Congress, is amended—

(1) in paragraph (2), by amending subsection (a)(1) as follows:

(A) in subclause (II), by adding the following sentence: “(iii) a national security system; or

(b) Modifications to Department of Defense Acquisition Workforce Development Fund.—Section 1705 of title 10, United States Code, is amended—

(1) in subsection (a), by inserting “; and” after "all" and:

(2) by adding a new clause:

(“(vi) The system is in compliance with the Department’s auditability requirements.

(3) For the purposes of paragraph (1), the program shall be responsible for the acquisition of such system and shall ensure that acquisition process approvals are not considered for such system until the relevant certifications and approvals have been made under this section.

(4) The term ‘defense business system’ means an information system that is operated by, for, or on behalf of the Department of Defense, including any of the following:

(i) A national security system; or

(ii) An information system used exclusively by and within the defense comissary system or the exchange system or other instrumentality of the Department of Defense conducted for the morale, welfare, and recreation of members of the armed forces using nonappropriated funds.

(2) Covered Defense Business System.—The term ‘covered defense business system’ means a defense business system that is expected to have a total amount of budget authority, including the cost of the current and previous five years defense program submitted to Congress under section 221 of this title, in excess of $50,000,000.

(3) Covered Defense Business System Program.—The term ‘covered defense business system program’ means a defense acquisition program to develop and field a covered defense business system or an increment of a covered defense business system.

(4) Priority Defense Business System Program.—The term ‘priority defense business system program’ means a defense business system program that is expected to have a total amount of budget authority, including the cost of the current and previous five years defense program submitted to Congress under section 221 of this title, in excess of $250,000,000; or

(5) Enterprise Architecture.—The term ‘enterprise architecture’ has the meaning given that term in section 3601(4) of title 44.

(6) Information System.—The term ‘information system’ has the meaning given that term in section 11101 of title 48, United States Code.

(7) National Security System.—The term ‘national security system’ has the meaning given that term in section 3656(b)(2) of title 44.

(8) Milestone Decision Authority.—The term ‘milestone decision authority’, with respect to a defense acquisition program, means the individual within the Department of Defense designated with the responsibility to grant milestone approvals for that program.

(9) Business Process Mapping.—The term ‘business process mapping’ means a procedure in which the steps in a business process are clarified and documented in a written form and in a flow chart.”.

(2) Clerical Amendment.—The table of sections at the beginning of chapter 131 of title 10, United States Code, is amended to add the following new clause:

“2222. Defense business systems: business process reengineering; enterprise architecture; management.”.

(1) Deadline for Guidance.—The guidance required by subsection (b)(1) of section 2222 of title 10, United States Code, as amended by subsection (a)(1), shall be issued not later than December 31, 2016.

(2) Modification of Comptroller General Assessment.—Section 332(d) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-196; 118 Stat. 1856) is amended to read as follows:

“(d) Comptroller General Assessment.—In each odd-numbered year, the Comptroller General of the United States shall submit to the congressional defense committees an assessment of the extent to which the actions taken by the Department of Defense comply with the requirements of this section.”.

SEC. 782. ACQUISITION WORKFORCE.

(a) Modifications to Department of Defense Acquisition Workforce Development Fund.—Section 1705 of title 10, United States Code, is amended—

(1) in subsection (d), by adding the following paragraph (D):

(“(D) the system is in compliance with the Department’s auditability requirements;

(2) by amending subsection (c) to read as follows:

(“(C) For purposes of this paragraph, the application percentage for a fiscal year is the percentage that results in the credit to the Fund of $500,000,000 in each fiscal year.”; and

(b) in paragraph (3), by striking ‘‘24-month period’’ and inserting ‘‘36-month period’’;

(2) in subsection (b), by striking “60 days” and inserting “120 days”; and

(3) in subsection (g)(2), by striking “September 30, 2017” and inserting “September 30, 2023.”
Chief Information Officer, establish a govern- ance mechanism and process to ensure essential interoperability across Department networks through the imposition of a minimum set of standards or common solutions.

SEC. 874. CLOUD STRATEGY FOR DEPARTMENT OF DEFENSE.

(a) CLOUD STRATEGY FOR SECRET INTERNET PROTOCOL NETWORK—

(1) IN GENERAL.—The Chief Information Officer of the Department of Defense shall, in consultation with the Under Secretary of Defense for Intelligence, the Director of National Intelligence, the Vice Chairman of the Joint Chiefs of Staff, the Under Secretary of Defense for Information Technology, the Under Secretary of Defense for Log- istics, and the chief information officers of the military departments, develop a cloud strategy for the Secret Internet Protocol Network (SIPRNet) of the Department.

(2) MATTERS ADDRESSED.—This strategy re- quired by paragraph (1) shall address the fol- lowing:

(A) Security requirements.

(B) The compatibility of applications cur- rently utilized within the Secret Internet Protocol Network with a cloud computing environment.

(C) How a Secret Internet Protocol Net- work cloud capability should be competi- tively acquired.

(D) How a Secret Internet Protocol Net- work cloud system would achieve interoper- ability with the cloud systems of the intel- ligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) operating at the security level Sen- sitive Compartmented Information.

3003)) operating at the security level Sen- sitive Compartmented Information.

(B) The compatibility of applications cur- rently utilized within the Secret Internet Protocol Network with a cloud computing environment.

(C) How a Secret Internet Protocol Net- work cloud capability should be competi- tively acquired.

(D) How a Secret Internet Protocol Net- work cloud system would achieve interoper- ability with the cloud systems of the intel- ligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) operating at the security level Sen- sitive Compartmented Information.

(E) Pricing Policy and Cost Recovery Pro- cedures for Certain Cloud Services.—The Chief Information Officer of the Department of Defense shall, in coordination with the Di- rector of National Intelligence and in con- sultation with the Secretaries of the De- fense for Intelligence, develop a consistent pricing policy and cost recovery process for the use by Department components of the cloud services provided through the Intelligence Community Information Technology Environment.

(f) IMPERATIVE COMPLIANCE.

(g) INCURRED COST INVENTORY DEFINED.—In section 245(c)(2) of title 10, United States Code, is amended—

(1) in paragraph (2), by amending subpar- agraph (D) to read as follows:—

“(D) the total costs of sustained or recov- ered costs both as a total number and as a percentage of questioned costs; and

(2) in paragraph (3), by striking ‘‘; and’’ and inserting a semicolon.

(3) by redesignating paragraph (4) as para- graph (6); and

(4) by inserting after paragraph (3) the fol- lowing new paragraphs:

“(B) a description of actions taken to en- sure alignment of policies and practices across the Defense Contract Audit Agency regional organizations, offices, and individual auditors;

(C) a description of outreach actions to- ward industry to promote more effective use of audit resources; and

(e) ACQUISITION OVERSIGHT AND AUDITS.— The Secretary of Defense shall review the oversight and audit structure of the Department of Defense with the goal of enhancing the productivity of oversight and program and contract auditing to avoid duplicative audits and the streamlining of oversight re- views. The Secretary shall take all necessary measures to streamline oversight reviews and avoid duplicative audits and make rec- ommendation for any necessary changes in law.

(f) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on actions taken to avoid duplicative audits and streamline oversight reviews.

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

(A) A description of actions taken to avoid duplicative audits and streamline oversight reviews, based on the review conducted under subsection (e).

(B) A comparison of commercial industry accounting practices, including require- ments under the Sarbanes-Oxley Act of 2002 (Public Law 107–204), with the Cost Account- ing Standards (CAS) to determine if any portions of CAS compliance can be met through such practices or requirements.


(D) An estimate of average delay and range of time from contract award to the time neces- sary for the Defense Contract Audit Agen- cy to complete pre-award audits.

(g) INCURRED COST INVENTORY DEFINED.—In this section, the term ‘‘incurred cost inven- tory’’ means the level of contractor incurred cost proposals in inventory from prior fiscal years that are currently being audited by the Defense Contract Audit Agency.

SEC. 879. SURVEY ON THE COSTS OF REGU- LATORY COMPLIANCE.

(a) SURVEY.—The Secretary of Defense shall conduct a survey of the top ten con- tractors with the highest level of reimburse- ments for cost type contracts with the De- fense Department during fiscal year 2014 to estimate industry’s cost of regulatory compliance (as a percentage of total costs) with government unique acquisition regula- tions and requirements. The Secretary may require quality assurance, accounting and financial management, contracting and purchasing, program management, engineering, logistics, budgeting, cost estimating, cost manage- ment, and other unique requirements not im- posed on contracts for commercial items.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the con- gressional defense committees a report on
the findings of the survey conducted under subsection (a). The data received as a result of the survey and included in the report shall be aggregated to protect against the public release of proprietary information.

SEC. 880. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON BID PROTESTS.

(a) Report Required.—Not later than 270 days after the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the prevalence and impact of bid protests on Department of Defense acquisitions over the previous 10 years, including both protests to the Government Accountability Office and protests filed by incumbent contractors and bid protests filed by non-incumbent contractors.

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

(1) A description of trends in the number of bid protests filed, and the rate of such bid protests compared to the number of procurements.

(2) A description of comparative rates for bid protests filed by incumbent contractors and bid protests filed by non-incumbent contractors.

(3) An assessment of the cost and schedule impact of successful and unsuccessful bid protests filed by incumbent contractors on contracts for services with a value in excess of $100,000,000.

(4) A description of trends in the number of bid protests filed and the rate of such bid protests on contracts for the procurement of major defense acquisition programs.

(5) An assessment of the cost and schedule impact of successful and unsuccessful bid protests filed on contracts for the procurement of major defense acquisition programs.

(6) A description of any views the Comptroller General may have on the likely impact of a provision requiring a losing proponent to pay the costs of a major defense acquisition program to pay the legal fees of the government.

SEC. 881. STEPS TO IDENTIFY AND ADDRESS POTENTIAL UNFAIR COMPETITIVE ADVANTAGE OF TECHNICAL ADVISORS TO ACQUISITION OFFICIALS.

(a) Guidance Required.—Not later than 120 days after the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall issue guidance that should be sufficient to identify and evaluate, and to avoid, neutralize, or mitigate, any potentially unfair competitive advantage of entities providing technical advice to acquisition officials in the award of research and development work by such officials.

(b) Definitions.—For the purposes of this section—

(1) the term ‘‘potentially unfair competitive advantage’’ means unequal access to acquisition officials responsible for award decisions or allocation of resources or to acquisition information relevant to award decisions or allocation of resources; and

(2) the term ‘‘entity providing technical advice to acquisition officials’’ means a contractor, Federally-funded research and development center and other non-profit entity, or Federal laboratory that provides systems engineering and technical direction, participates in technical evaluations, helps prepare specifications or work statements, or otherwise provides technical advice to acquisition officials on the conduct of defense acquisition programs.

SEC. 882. HUBZONES QUALIFIED DISASTER AREAS.

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

(1) in paragraph (A), by striking ‘‘or’’;

(ii) in subparagraph (E), by striking the period at the end and inserting ‘‘; or’’; and

(iii) by adding at the end following:

‘‘(F) qualified disaster areas.; and

(b) Period for Base Closure Areas.—

(1) Amend Section 823c—

(A) In General.—Section 823c(2) of title I of division K of the Consolidated Appropriations Act, 2005 (15 U.S.C. 632 note) is amended by striking ‘‘8 years’’ and inserting ‘‘8 years’’.
SEC. 1002. ANNUAL AUDIT OF FINANCIAL STATEMENTS OF DEPARTMENT OF DEFENSE COMPONENTS BY INDEPENDENT EXTERNAL AUDITORS.

(a) AUDITS REQUIRED.—For purposes of satisfying the requirement under section 3521(e) of title 31, United States Code, for audits of financial statements of Department of Defense components identified by the Director of the Office of Management and Budget under section 3515(c) of such title, the Inspector General of the Department of Defense shall obtain each year audits of the financial statements of each such component by an independent external auditor.

(b) INSPECTOR GENERAL SELECTION AND OVERSIGHT.—The Inspector General shall—

(1) select independent external auditors for purposes of subsection (a) based, among other appropriately applied criteria, on their qualifications, independence, and capacity to conduct audits described in subsection (a) in accordance with applicable generally accepted government auditing standards; and

(2) shall monitor the conduct of such audits.

(c) REPORTS ON AUDITS.—

(1) IN GENERAL.—The Inspector General shall require the independent external auditors conducting audits under subsection (a) to submit a report on their audits each year to the Secretary of Defense, the Controller of the Office of Management and Budget in the Office of Management and Budget, and the appropriate committees of Congress.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

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

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

(d) RELATIONSHIP TO EXISTING LAW.—The requirements of this section—

(1) shall be implemented in a manner that is consistent with the requirements of section 1008 of the National Defense Authorization Act for Fiscal Year 2002 (10 U.S.C. 2222 note); and

(2) shall not be construed to alter the requirement under section 3521(e) of title 31, United States Code, that the financial statements of the Department of Defense as a whole be audited by the Inspector General or by an independent external auditor, as determined by the Inspector General; and

(3) shall not be construed to limit or alter the authority of the Controller General of the United States under section 3521(g) of title 31, United States Code.


(a) IN GENERAL.—In the event of the enactment of an Act revising proportionally equal amounts the defense discretionary spending limits for fiscal year 2016, the amount authorized to be appropriated by title XV that is in excess of the $50,000,000,000 that is appropriated by that title for revised security category activities, and is also greater than the amount of the increase in the discretionary spending limit for security category activities revised by that Act, shall be deemed to have been authorized to be appropriated by title III.

(b) DEFINITIONS.—In this section—

(1) the term “Act” means the defense and non-defense discretionary spending limits for fiscal year 2016” means an Act—

(A) enacted after the date of enactment of this Act; and

(B) that—

(i) increases in proportionally equal amounts the discretionary spending limits for fiscal year 2016 for the revised security category and the revised nonsecurity category; and

(ii) may include increases to the discretionary spending limits for fiscal years 2017 through 2021.

(2) The terms “discretionary spending limit”, “revised security category”, and “revised nonsecurity category” have the meanings given such terms in section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900).

SEC. 1004. SENSE OF SENATE ON SEQUESTRATION.

It is the sense of the Senate that—

(1) the nation’s fiscal challenges are a top priority for Congress, and sequestration—non-strategic, across-the-board budget cuts—remains an unreasonable and inadequate budgeting tool to address the nation’s deficits and debt;

(2) sequestration relief must be accomplished for fiscal year 2015; and

(3) sequestration relief should include equal defense and non-defense relief; and

(4) sequestration relief should be offset through targeted changes in mandatory and discretionary categories and programs.

Subtitle B—Counter-Drug Activities

SEC. 1011. EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTERTERRORISM AND COUNTERDRUG CAMPAIGN IN COLOMBIA.


(1) in subsection (a), by striking “2016” and inserting “2017”;

(2) and in subsection (c), by striking “2016” and inserting “2017”.

(b) EXTENSION OF ANNUAL NOTICE TO CONGRESS ON ASSISTANCE.—Section 1011(b) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 is amended by striking “as of” and inserting “for the year”.

(c) ANNUALreovention and Assistance.—Section 1016 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2042) is amended by striking “such funds available for fiscal year 2015” and inserting “such funds available for fiscal years 2015 and 2016”. June 2, 2015 S3515 CONGRESSIONAL RECORD — SENATE

(b) Maximum Amount of Support.—Subsection (b) of section 1035, as so amended, is further amended by striking “2016” and inserting “2017”.

(c) Government’s Eligible to Receive Support.—Subsection (b) of such section 1035, as so amended, is further amended by striking at the end of the following new paragraphs: “(40) Government of Kenya.

(41) Government of Tanzania.

(42) Government of Somalia.”.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. STUDIES OF FLEET PLATFORM ARCHITECTURES FOR THE NAVY.

(a) Independent Studies.—

(1) In General.—The Secretary of Defense shall provide for the performance of three independent studies of alternative future fleet platform architectures for the Navy in the 2030 timeframe.

(2) Commission to Congress.—Not later than May 1, 2016, the Secretary shall forward the results of each study to the congressional defense committees.

(b) Form.—Each such study shall be submitted in unclassified form, but may contain a classified annex as necessary.

(c) Entities to Perform Studies.—The Secretary shall provide for the studies under subsection (a) to be performed as follows:

(1) One study shall be performed by the Department of the Navy and shall include participants from—

(A) the Office of Net Assessment within the Office of the Secretary of Defense; and

(B) the Naval Surface Warfare Center Dahlgren Division.

(2) The second study shall be performed by a federally funded research and development center.

(3) The final study shall be conducted by an independent, non-governmental institute which is authorized by section 501(c)(3) of the Internal Revenue Code of 1986, and exempt from tax under section 501(a) of such Code, and has recognized credentials and expertise in national security and military affairs.

(d) Performance of Studies.—

(1) Independent Performance.—The Secretary of Defense shall require the three studies under this section to be conducted independently of each other.

(2) Matters to be Considered.—In performing a study under this section, the organization performing the study, while being aware of the current and projected fleet platform architectures, shall not be limited by the current or projected fleet platform architecture and shall consider the following matters:


(B) Potential future threats to the United States and to United States naval forces in the 2030 timeframe.

(C) Traditional roles and missions of United States naval forces.

(D) Alternative roles and missions for United States naval forces.

(E) Other government and non-government analyses that would contribute to the study through variations in study assumptions or potential scenarios.

(F) The role of evolving technology on future naval forces, including unmanned systems.

(G) Opportunities for reduced personnel and sustainability.

(H) Current and projected capabilities of other United States military services that could affect force structure capability and capacity requirements of United States naval forces.

(d) Study Results.—The results of each study under this section shall:

(1) present the alternative fleet platform architectures considered, with assumptions and possible scenarios identified for each;

(2) provide for presentation of minority views of study participants; and

(3) for the recommended architecture, provide—

(A) the numbers, kinds, and sizes of vessels, the numbers and types of associated manned and unmanned vehicles, and the basic capabilities of each of those platforms;

(B) other information needed to understand that architecture in basic form and the supporting analysis;

(C) deviations from the current annual Long-Range Plan for Construction of Naval Vessels required under section 231 of title 10, United States Code;

(D) options to address ship classes that begin decommissioning prior to 2035; and

(E) improvements to aviation, including the future carrier air wing and land-based aviation platforms.

SEC. 1022. AMENDMENT TO NATIONAL SEA-BASED DEFERENCE FUND.

Section 1022(b)(1) of the Carl Levin and MacKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended by striking “for the Navy” in the introductory text and the following: “for the” in “the Ohio Replacement Program”.

SEC. 1023. EXTENSION OF AUTHORITY FOR REIMBURSEMENT OF EXPENSES FOR CERTAIN NAVAL VESSELS AFOLOF.


(b) Technical and Clarifying Amendments.—Subsection (a) of such section, as so amended, is further amended—

(1) in the matter preceding paragraph (1), by striking “not more that” and inserting “not more than”;

(2) by inserting “such vessels” after “inserting “sailors’’”.

Subtitle D—Counterterrorism

SEC. 1031. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE U.S. TERRITORIES TO HOUSE DETAINES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) Prohibition.—No amounts authorized to be appropriated by this Act or otherwise available for the Department of Defense may be used, during the period beginning on the date of the enactment of this Act and ending on December 30, 2015, to construct or modify any facility in the United States, its territories, or possessions to house an individual detained at Guantanamo Bay, Cuba for the purpose of detention or imprisonment in connection with the national security interest of the United States; or

(b) Exception.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba, as authorized by Congress.

(c) Individuals Detained at Guantanamo Defined.—In this section, the term ‘‘individual detained at Guantanamo” means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.


SEC. 1032. LIMITATION ON THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) In General.—Except as provided in subsection (b), no amounts authorized to be appropriated by this Act or otherwise available for the Department of Defense may be used to transfer, release, or assist in the transfer or release to or within the United States territories, the Government of Kenya, the Government of Tanzania, the Government of Somalia, the Government of Egypt, the Government of Sudan, the Government of Nigeria, the Government of Yemen, the Government of Ethiopia, or any other government that—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

(b) Transfer for Detention and Trial.—The Secretary of Defense may transfer a detainee described in subsection (a) to the United States for detention pursuant to the Authorization for Use of Military Force (Public Law 107–40), trial, and incarceration if the Secretary—

(1) determines that the transfer is in the national security interest of the United States;

(2) determines that appropriate actions have been taken, or will be taken, to address any risk to public safety that could arise in connection with detention and trial in the United States; and

(3) notifies the appropriate committees of Congress not later than 45 days before the date of the proposed transfer.

(c) Notification Elements.—A notification on a transfer under subsection (b)(3) shall include the following:

(1) A statement of the basis for the determination that the transfer is in the national security interest of the United States.

(2) A description of the action the Secretary determines have been taken, or will be taken, to address any risk to public safety that could arise in connection with detention and trial in the United States.

(3) Status While in the United States.—A detainee who is transferred to the United States under this section—

(1) shall not be permitted to apply for asylum under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) or be eligible to apply for admission into the United States;

(2) shall be considered to be paroled into the United States temporarily pursuant to section 212(d)(5)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)(A)); and

(3) shall not at any time be subject to, and may not apply for or obtain, or be deemed to be a citizen or national of the United States, to any right, privilege, status, benefit, or eligibility for any benefit under any provision of the immigration laws (as defined in congressional record—senate—june 2, 2015
section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)), or any other law or regulation; and
(4) shall not, as a result of such transfer, have an adverse impact on (i) the continued protection of those persons and property of the United States who are at risk of attack by an individual transferred pursuant to the Authorization for Use of Military Force, pending the end of hostilities or a future determination by the Secretary of Defense that continued detention under the law of armed conflict poses a threat to the United States or United States persons or interests.

(5) A plan for the disposition of any individual detained under the law of armed conflict after the date of the report, including a plan to detain and interrogate such individuals for the purposes of—

(a) protecting the security of the United States, its persons, allies, and interests; and

(b) the security of the United States, its persons, allies, and interests.

(6) A plan for the disposition of any individual transferred to the United States or another country for continued detention under the law of armed conflict.

(c) The specific facility or facilities that the Secretary submits to Congress a report under subsection (g) and—

(i) which do not have a preamble; and

(ii) the matter after the resolving clause of which is as follows: "That Congress approves the plan of the Secretary of Defense on the disposition of detainees held at United States Naval Station, Guantanamo Bay, Cuba, submitted pursuant to paragraph (1) of the House receiving the resolution shall occur."

(3) EFFECTIVE DATE.—Subsections (b), (c), and (d) shall take effect on the effective date of a joint resolution approved pursuant to subsection (h) on the plan on the disposition of detainees held at United States Naval Station, Guantanamo Bay, Cuba, submitted pursuant to subsection (g).

(4) PLAN FOR DISPOSITION OF DETAINEES.—

(a) REPORT ON PLAN REQUIRED.—The Secretary of Defense shall submit to the appropriate committees of Congress a report setting forth a comprehensive plan on the disposition of detainees held at United States Naval Station, Guantanamo Bay, Cuba.

(b) EFFECTIVE DATE.—Subsections (b), (c), and (d) shall take effect on the effective date of a joint resolution approved pursuant to subsection (h) on the plan on the disposition of detainees held at United States Naval Station, Guantanamo Bay, Cuba, submitted pursuant to paragraph (1) of the House receiving the resolution shall occur.

(5) CONSIDERATION BY OTHER HOUSE.—(A) If, before the passage of one House of a resolution described in paragraph (1) that House receives from the other House a resolution described in paragraph (1), then the following procedures shall apply:

(i) The resolution of the other House shall not be referred to a committee and may not be considered in the House receiving it except on the date of final passage of the resolution as provided in clause (i)(II).

(ii) With respect to a resolution described in paragraph (1) of the House receiving the resolution—

(I) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(II) a vote on the resolution shall be on the resolution of the other House.

(B) Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

(6) RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is severable from any part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in this subsection, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to make its rules, so far as relating to the procedure of that House at any time, in the same manner, and to the same extent as in the case of any other rule of that House.
(1) LIMITATION PENDING ENACTMENT OF JOINT RESOLUTION APPROVING PLAN.—Notwithstanding any other provision of law and subject to paragraph (2), any individual detained at Guantanamo Bay, Cuba, as of October 1, 2009, who—
(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and
(B) is—
(i) in the custody or under the control of the Department of Defense; or
(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1033. REENACTMENT AND MODIFICATION OF CERTAIN PRIOR REQUIREMENTS FOR CERTIFICATIONS RELATING TO TRANSFER OF DETAINES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) CERTIFICATION REQUIRED PRIOR TO TRANSFER.—
(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to transfer any individual detained at Guantanamo Bay, Cuba, as of October 1, 2009, who—
(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and
(B) is—
(i) in the custody or under the control of the Department of Defense; or
(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(b) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo Bay, Cuba, as of October 1, 2009, who—
(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and
(B) is—
(i) in the custody or under the control of the Department of Defense; or
(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(c) CERTIFICATION.—A certification described in this subsection is a written certification made by the Secretary of Defense, in consultation with the Director of National Intelligence, that—
(1) the government of the foreign country to which the individual is to be transferred, and any other foreign entity if there is a confirmed case in which an individual who was detained at Guantanamo Bay, Cuba, as of October 1, 2009, who—
(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and
(B) is—
(i) in the custody or under the control of the Department of Defense; or
(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba,
that includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity to—
(A) maintain the control over each detention facility; and
(B) maintain control over each detention facility in which the individual is to be housed in a detention facility.

(2) RECORD OF COOPERATION.—
(I) the individual's record of cooperation; and
(II) the actions to be taken to address the underlying factors that could affect the security of the United States.

(c) PROHIBITION IN CASES OF PRIOR CONFERRED CERTIFICATIONS.—
(1) PROHIBITION.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to transfer any individual detained at Guantanamo Bay, Cuba, as of October 1, 2009, who—
(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and
(B) is—
(i) in the custody or under the control of the Department of Defense; or
(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1033. REENACTMENT AND MODIFICATION OF CERTAIN PRIOR REQUIREMENTS FOR CERTIFICATIONS RELATING TO TRANSFER OF DETAINES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) CERTIFICATION REQUIRED PRIOR TO TRANSFER.—
(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to transfer any individual detained at Guantanamo Bay, Cuba, as of October 1, 2009, who—
(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and
(B) is—
(i) in the custody or under the control of the Department of Defense; or
(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1033. REENACTMENT AND MODIFICATION OF CERTAIN PRIOR REQUIREMENTS FOR CERTIFICATIONS RELATING TO TRANSFER OF DETAINES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) CERTIFICATION REQUIRED PRIOR TO TRANSFER.—
(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to transfer any individual detained at Guantanamo Bay, Cuba, as of October 1, 2009, who—
(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and
(B) is—
(i) in the custody or under the control of the Department of Defense; or
(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1033. REENACTMENT AND MODIFICATION OF CERTAIN PRIOR REQUIREMENTS FOR CERTIFICATIONS RELATING TO TRANSFER OF DETAINES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) CERTIFICATION REQUIRED PRIOR TO TRANSFER.—
(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to transfer any individual detained at Guantanamo Bay, Cuba, as of October 1, 2009, who—
(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and
(B) is—
(i) in the custody or under the control of the Department of Defense; or
(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1033. REENACTMENT AND MODIFICATION OF CERTAIN PRIOR REQUIREMENTS FOR CERTIFICATIONS RELATING TO TRANSFER OF DETAINES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) CERTIFICATION REQUIRED PRIOR TO TRANSFER.—
(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to transfer any individual detained at Guantanamo Bay, Cuba, as of October 1, 2009, who—
(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and
(B) is—
(i) in the custody or under the control of the Department of Defense; or
(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1033. REENACTMENT AND MODIFICATION OF CERTAIN PRIOR REQUIREMENTS FOR CERTIFICATIONS RELATING TO TRANSFER OF DETAINES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) CERTIFICATION REQUIRED PRIOR TO TRANSFER.—
(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense to transfer any individual detained at Guantanamo Bay, Cuba, as of October 1, 2009, who—
(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and
(B) is—
(i) in the custody or under the control of the Department of Defense; or
(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.
(A) A description of the cooperation for which favorable consideration was so given.

(B) A description of operational outcomes, if any, affected by such cooperation.

I. DEPRIVATION OF CIVIL LIBERTIES. — In this section:

(1) The term ‘‘appropriate committees of Congress’’ means—

(i) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

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

(2) The term ‘‘certification made under subsection (b), the term also includes the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, but only with respect to the submittal to such committees of a copy of the written memorandum of understanding concerned described in paragraph (1) —

(a) transfer on emergency or critical medical treatment.

(b) transfer of the individual at Guantanamo to a Department of Defense medical facility in the United States (including the cost of transporting and securing the individual in such facility during any period in which the individual is temporarily in the United States for treatment and the cost of transporting and securing the individual back to Guantanamo); and

(c) the Department of Defense has provided medical treatment at United States Naval Station, Guantanamo Bay, Cuba.

(3) The term ‘‘Secretary of Defense’’ means—

(A) the Secretary of Defense, as though the authority in subsection (a) shall—

(i) be exercised only by the Secretary of Defense or by another official of the Department of Defense at the level of Under Secretary of Defense or higher.

(ii) in the custody or under the control of the Department of Defense; or

(iii) the Secretary of Defense may temporarily transfer any individual detained at United States Naval Station, Guantanamo Bay, Cuba, including pursuant to subsection (a). Such jurisdiction shall be limited to that required by the Constitution with respect to the fact or duration of detention.

(b) In connection with a certification made under subsection (a), the Secretary of Defense may temporarily transfer any individual located at United States Naval Station, Guantanamo Bay, Cuba, and may have a change in any designation that may have attached to that detainee while detained at United States Naval Station, Guantanamo Bay, Cuba.

(4) The term ‘‘individual detained at Guantanamo’’ means any individual located at United States Naval Station, Guantanamo Bay, Cuba.

(5) The term ‘‘qualified detainees’’ means—

(i) the term ‘‘state sponsor of terrorism’’ has the meaning given that term in section 301(13) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8541(13)).

(ii) the term ‘‘significant injury or harm’’ means—

(A) not later than 30 days before the date of the proposed transfer; or

(B) if not provided in accordance with subparagraph (A) because of an especially immediate need for the provision of medical treatment to prevent death or imminent significant injury or harm to the health of the individual, as soon as practicable, but not later than 5 days after the date of transfer.

(iii) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the Senate.

(iv) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(v) the non-mandatory certification or any other provision of this subtitle.

(vi) the Secretary of Defense has provided medical treatment at United States Naval Station, Guantanamo Bay, Cuba.

(vii) the transfer is necessary to prevent death or imminent significant injury or harm to the health of the individual.

(viii) the specific Department of Defense medical facility that will provide medical treatment to the individual.

(C) A description of the actions the Secretary determines have been taken, or will be taken, to address any risk to the public safety that could arise in connection with the provision of medical treatment to the individual in the United States.

(D) LIMITATION ON JUDICIAL REVIEW. — Except as provided in paragraph (3), no court, justice, or judge shall have jurisdiction to hear or consider any claim or action against the United States or its agents relating to any aspect of the detention, transfer, treatment, or conditions of confinement of an individual transferred under this section.

(E) JURISDICTION.—A court order in a proceeding covered by paragraph (3) may not—

(i) review, halt, or stay the return of the individual who is the object of the application for writ of habeas corpus challenging the fact or duration of detention and seeking release from custody filed by or on behalf of an individual who is in the United States pursuant to a transfer under subsection (a).

(ii) order the release of the individual within the United States.

(g) DEFINITIONS.—In this section:

(1) ‘‘the term ‘appropriate committees of Congress’’ means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

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

(2) The term ‘‘individual detained at Guantanamo’’ means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(i) in the custody or under the control of the Department of Defense; or

(ii) is in the custody or under the control of the Department of Defense at all times; and

(3) the Department of Defense has provided for appropriate security measures for the custody and control of the individual during any period in which the individual is temporarily in the United States under this section; and

(4) except in cases involving the especially immediate need for the provision of medical treatment to prevent death or imminent significant injury or harm to the health of the individual.

B. AUTHORITY TO TEMPORARILY TRANSFER AND LIMITATION ON EXERCISE OF AUTHORITY.—The authority of the Secretary of Defense (Public Law 111-192; 8 U.S.C. 118a note) is repealed.

C. UNREASONABLE COSTS.—Nothing in this section is intended to create any enforceable right or benefit, or any claim or cause of action, by any party against the United States, or any other person or entity.

D. LIMINATION ON JUDICIAL REVIEW.—Except as provided in paragraph (3), no court, justice, or judge shall have jurisdiction to hear or consider any claim or action against the United States or its agents relating to any aspect of the detention, transfer, treatment, or conditions of confinement of an individual transferred under this section.

E. JUDICIAL REVIEW PRECLUDED.—Nothing in this section is intended to create any enforceable right or benefit, or any claim or cause of action, by any party against the United States, or any other person or entity.
SEC. 1035. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE TO YEMEN OR ANY ENTITY WITHIN YEMEN.

Notwithstanding any other provision of law, the Secretary of Defense may not, in accordance with any rules or regulations promulgated by the Department of Defense, transfer (whether or not to any foreign country) any individual in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to Yemen or any entity within Yemen.

SEC. 1036. REPORT ON CURRENT DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, DETERMINED OR ASSESSED TO BE HIGH RISK OR MEDIUM RISK.

(a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees and members of Congress a report, in unclassified form, setting forth a list of the individuals detained at Guantanamo as of the date of the enactment of this Act who—

(1) have been determined or assessed to be a high-risk or medium-risk threat to the United States, its interests, or its allies; and

(2) have been determined or assessed to be a high-risk or medium-risk threat to the United States, its interests, or its allies.

(b) ELEMENTS.—The report under subsection (a) shall set forth, for each individual covered by the report, the following:

(1) The name and country of origin.

(2) The date on which first designated or assessed as a high-risk or medium-risk threat to the United States, its interests, or its allies.

(3) Whether, as of the date of the report, currently designated or assessed as a high-risk or medium-risk threat to the United States, its interests, or its allies.

(4) If the designation or assessment changed between the date specified pursuant to paragraph (2) and the date of the report, the year and month in which the designation or assessment changed and the designation or assessment to which changed.

(c) TO THE EXTENT PRACTICABLE, WITHOUT JURISPRUDENCE OF THE UNITED STATES AND ITS ALLIES, GROSS VIOLATIONS OF HUMAN RIGHTS, AND OTHER VIOLATIONS OF INTERNATIONAL LAW; AND

(d) ANY AFFILIATIONS WITH AL QAEDA, AL QAEDA AFFILIATES, OR OTHER TERRORIST GROUPS.

DEFINITIONS.—In this section:

(1) The term ‘‘appropriate committees and members of Congress’’ means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate;

(B) the Majority Leader and the Minority Leader of the Senate;

(C) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(D) the Speaker of the House of Representatives and the Minority Leader of the House of Representatives.

(2) The term ‘‘individual detained at Guantanamo’’ means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1037. REPORT TO CONGRESS ON MEMO- RANDUM OF UNDERSTANDING WITH FOREIGN COUNTRIES REGARDING TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) REPORT REQUIRED.—

(1) In general.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall transmit to the appropriate committees of Congress a report on the memorandum of understanding between the United States Government and the government of the foreign country regarding each individual detained at Guantanamo who was transferred to a foreign country during the 18-month period ending on the date of the enactment of this Act.

(2) STATEMENT ON LACK OF MOU.—If an individual detained at Guantanamo was transferred to a foreign country during the period described in paragraph (1) and no memorandum of understanding exists between the United States Government and the government of the foreign country regarding such individual, the report under paragraph (1) shall include an unclassified statement of that fact.

(b) DEFINITIONS.—In this section:

(1) The term ‘‘appropriate committees of Congress’’ means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

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

(2) The term ‘‘individual detained at Guantanamo’’ means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1038. SEMIANNUAL REPORTS ON USE OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, AND ANY OTHER DEPARTMENT OF DEFENSE OR BUREAU OF PRISONS PRISON OR OTHER DETENTION OR DISCIPLINARY FACILITY IN RECRUITMENT AND OTHER PROPAGANDA OF TERROR ORGANIZATIONS.

(a) IN GENERAL.—Not later than six months after the date of the enactment of this Act, and every six months thereafter, the Secretary of Defense shall, in consultation with the Director of National Intelligence, submit to Congress a report on the use by terrorist organizations and their leaders of images and symbols relating to United States Naval Station, Guantanamo Bay, Cuba, and any other Department of Defense or Bureau of Prisons prison or other detention or disciplinary facility in recruitment and other propaganda purposes during the six-month period ending on the date of such report. Each report shall include the following:

(1) A description of the extent of the effectiveness of the use of such images and symbols for recruitment and other propaganda purposes.

(2) A description and assessment of the efforts of the United States Government to counter the use of such images and symbols for such purposes and to disseminate accurate information about such facilities.

(b) ADDITIONAL MATERIAL IN FIRST REPORT.—The first report under subsection (a) shall include a description of the use by terrorist organizations and their leaders of images and symbols relating to United States Naval Station, Guantanamo Bay, Cuba, and any other Department of Defense or Bureau of Prisons prison or other detention or disciplinary facility for recruitment and other propaganda purposes before the date of the enactment of this Act.

SEC. 1039. EXTENSION AND MODIFICATION OF AUTHORITY TO MAKE REWARDS FOR COMBATANTS OF TERROR ORGANIZATIONS.

(a) EXTENSION OF AUTHORITY TO MAKE REWARDS FOR COMBATANTS OF TERROR ORGANIZATIONS.

(1) In general.—The heading of such section is amended by striking ‘‘September 30, 2015’’ and inserting ‘‘December 31, 2016’’.

(b) MODIFICATION OF REPORTING REQUIREMENTS.—Subsection (f)(2) of such section is amended—

(1) by striking subparagraph (D);

(2) by redesignating subparagraphs (E), (F), and (G), as redesignated by subparagraphs (D), (E), and (F), respectively; and

(3) in subparagraph (D), as redesignated by paragraph (2), by inserting before the period at the end the following: ‘‘and after the date on which the Secretary designates a country as a country in which an operation or activity of the United States is occurring in connection with which rewards may be paid under this section, the Secretary shall submit to committees in the Senate and the House of Representatives a report on the designation. Each report shall include the following:’’;

(4) by striking paragraph (4) and inserting the following:

‘‘(4) If the designation or assessment changed between the date specified pursuant to paragraph (2) and the date of the report, the year and month in which the designation or assessment changed and the designation or assessment to which changed. ’’;

(c) REPORT ON DESIGNATION OF COUNTRIES FOR WHICH REWARDS MAY BE PAID.—Such section is further amended by adding at the end the following new subsection:

‘‘(k) REPORT ON DESIGNATION OF COUNTRIES FOR WHICH REWARDS MAY BE PAID.—Not later than 15 days after the date on which the Secretary designates a country as a country in which an operation or activity of the United States is occurring in connection with which rewards may be paid under this section, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the designation. Each report shall include the following:

(1) The country so designated.

(2) The reason for the designation of the country.

(3) A justification for the designation of the country for purposes of this section.

(d) CHANGE OF SECTION HEADING TO REFLECT NAME OF PROGRAM.—

(1) IN GENERAL.—The heading of such section is amended by striking ‘‘127b. Department of Defense Rewards Program’’ and inserting ‘‘127b. Department of Defense Rewards Program’’.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is amended by striking the item relating to section 127b and inserting the following:

‘‘127b. Department of Defense Rewards Program. ’’

Subtitle E—Miscellaneous Authorities and Limitations.

SEC. 1041. ASSISTANCE TO SECURE THE SOUTHERN LAND BORDER OF THE UNITED STATES.

(a) IN GENERAL.—The Secretary of Defense shall provide assistance to United States Customs and Border Protection for purposes of increasing ongoing efforts to secure the southern land border of the United States.

(b) CONCURRENCE IN ASSISTANCE.—Assistance under subsection (a) shall be provided with the concurrence of the Secretary of Homeland Security.

(c) TYPES OF ASSISTANCE AUTHORIZED.—The assistance provided under subsection (a) may include the following:

(1) Deployment of members and units of the regular and reserve components of the
Armed Forces to the southern land border of the United States.

(2) Deployment of manned aircraft, unmanned aerial surveillance systems, and ground-based surveillance systems to support continuous surveillance of the southern land border of the United States.

(3) Intelligence analysis support.

(d) LOGISTICS SUPPORT.—
The Secretary of Defense is authorized to deploy such materiel and equipment and logistics support as is necessary to ensure the effectiveness of assistance provided under subsection (a).

(e) FUNDING.—Of the amounts authorized to be appropriated for the Department of Defense under this section, the Secretary of Defense may use up to $75,000,000 to provide assistance under this section.

(f) REPORTS.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on assistance provided under this subsection.

(g) AUTHORITY OUTSIDE FEDERAL PROPERTY.—Before authorizing civilian officers and agents to perform duty in areas outside the property specified in subsection (a), the Secretary of Defense shall consult with, and enter into agreements with, local law enforcement agencies exercising jurisdiction over such areas for the purposes of avoiding conflicts of jurisdiction, promoting notification of planned law enforcement actions, and otherwise facilitating productive working relationships.

SEC. 1042. POLICY OF DEPARTMENT OF DEFENSE INSTALLATIONS.

(a) SECRETARY OF DEFENSE AUTHORITY.—
Chapter 159 of title 10, United States Code, is amended by inserting after section 2671 the following new section:

2672. Protection of buildings, grounds, property, and persons

"(a) IN GENERAL.—The Secretary of Defense shall protect the buildings, grounds, property in question, of offenses that may be exercised under the jurisdiction, custody, or control of the Department of Defense or persons on such property.

"(b) AGENTS.—The Secretary of Defense may designate military or civilian personnel of the Department of Defense as agents and officers to perform the functions of the Secretary under subsection (a), including the designation of agents and officers to perform in areas outside the property specified in that subsection to the extent necessary to protect the personnel in that category.

"(c) REGULATIONS.—(1) The Secretary of Defense may prescribe regulations, including traffic regulations, necessary for the protection and administration of property under the jurisdiction, custody, or control of the Department of Defense or persons on such property.

"(2) The Secretary may prescribe regulations, including reasonable penalties, within the limits prescribed in paragraph (1), for violations of the regulations. The regulations shall be posted and remain posted in a conspicuous place on the property to which they apply.

"(d) LIMITATION ON DELEGATION OF AUTHORITY.—The authority of the Secretary of Defense under subsections (b) and (c) may not be delegated to the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force.

"(e) DISPOSITION OF PERSONS ARRESTED.—A person who is arrested pursuant to authority exercised under subsection (b) may not be held in a military confinement facility, other than in the case of a person who is subject to chapter 47 of this title (the Uniform Code of Military Justice).

"(f) FACILITIES AND SERVICES OF OTHER AGENCIES.—In implementing this section, when the Secretary determines it to be economical and in the public interest, the Secretary may utilize the facilities and services of Federal, State, Indian tribal, and local law enforcement agencies, local law enforcement agencies, and the consent of those agencies, and may reimburse those agencies for the use of their facilities and services. Such services of State, Indian Tribal, and local law enforcement agencies, including application of their powers of law enforcement, may be provided notwithstanding that the property is subject to the legislative jurisdiction of the Department of Defense.

"(g) AUTHORITY OUTSIDE FEDERAL PROPERTY.—For the protection of property under the jurisdiction, custody, or control of the Department of Defense, the Secretary may, in the case of any such property, the Secretary of Defense may enter into agreements with Federal agencies and with State, Indian tribal, and local governments to obtain authority for civilian officers and agents designated under this section to enforce Federal laws and State, Indian tribal, and local laws with other Federal law enforcement officers and with State, Indian tribal, and local law enforcement officers.

"(h) ATTORNEY GENERAL APPROVAL.—The powers granted pursuant to subsection (b) to officers and agents designated under subsection (a) shall be exercised in accordance with guidelines approved by the Attorney General. Such guidelines may include specification of the geographical extent of jurisdiction outside of the property specified in subsection (a) within which those powers may be exercised.

"(i) LIMITATION WITH REGARD TO OTHER FEDERAL AGENCIES.—Nothing in this section shall be construed as affecting the authority of the Secretary of Homeland Security to provide for the protection of facilities (including the buildings, grounds, and properties of the General Services Administration) that are under the jurisdiction, custody, or control, in whole or in part, of a Federal agency other than the Department of Defense and that are located off of a military installation.

"(j) COOPERATION WITH LOCAL LAW ENFORCEMENT AGENCIES.—Before authorizing civilian officers and agents to perform duty in areas outside the property specified in subsection (a), the Secretary of Defense shall consult with, and enter into agreements with, local law enforcement agencies exercising jurisdiction over such areas for the purposes of avoiding conflicts of jurisdiction, promoting notification of planned law enforcement actions, and otherwise facilitating productive working relationships.

SEC. 1043. STRATEGY TO PROTECT UNITED STATES NATIONAL SECURITY INTERESTS IN THE ARCTIC REGION.

(a) REPORT ON STRATEGY REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that sets forth an updated military strategy for the protection of United States national security interests in the Arctic region.

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

"(1) A description of United States military interests in the Arctic region.

"(2) A description of the sources and amounts of funds used to provide such assistance.

"(3) A description of the amounts obligated to provide such assistance."
(2) A description of operational plans and associated military requirements for the protection of United States national security interests in the Arctic region, including United States citizens, territory, freedom of navigation, and economic and trade interests.

(3) An identification of any operational seams and other areas of overlap or efficiency of effort among the combatant commands with responsibility for the Arctic region.

(4) A description of the security environment in the Arctic, including the activities of foreign nations operating within the Arctic region.

(5) A description of United States military capabilities currently in place to implement the strategy required by subsection (a).

(6) An identification of any capability gaps and resource gaps, including in installations, infrastructure, and personnel in the Arctic region, that would impact the implementation of the strategy required by subsection (a) or the execution of any associated operational plan, and a mitigation plan to address such gaps.

(7) A plan to enhance military-to-military cooperation with partner nations that have mutual security interests in the Arctic region.

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

SEC. 1044. EXTENSION OF LIMITATIONS ON THE TRANSFER TO THE REGULAR ARMY OF AH–64 APACHE HELICOPTERS AS COUNTING AGAINST THE ARMY NATIONAL GUARD.

(a) Extension.—Section 1712 of the Carl Levin and Howard B. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended by striking "March 31, 2016" each place it appears and inserting "September 30, 2016".

(b) Readiness of Aircraft and Personnel.—Subsection (c) of such section is amended by striking "fiscal year 2015" and inserting "fiscal years 2015 and 2016".

SEC. 1045. TREATMENT OF CERTAIN PREVIOUSLY TRANSFERRED ARMY NATIONAL GUARD HELICOPTERS AS COUNTING AGAINST NUMBER TRANSFERREABLE UNLESS EXCEPTIONAL TO THE ARMY NATIONAL GUARD HELICOPTERS.

(a) Notice to Congress.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the Committee on Armed Services of the Senate a report setting forth the number of AH–64D Apache helicopters that have been transferred from the Army National Guard to the original equipment manufacturer for the purpose of remanufacture to the AH–64E Apache helicopter variant.

(b) Treatment as Counting Against Number Transferrable Unless Exceptional to the Army National Guard Helicopters.—The Secretary of the Army shall treat the number of helicopters specified in the report under subsection (a) as counting against the total number of AH–64 Apache helicopters that may be transferred from the Army National Guard to the regular Army pursuant to subsection (e) of section 1712 of the Carl Levin and Howard B. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3668).

(c) Construction With Required Certification.—Nothing in this subsection may be construed to authorize or terminate the requirement for a certification by the Secretary of Defense pursuant to subsection (f) of section 1712 of the Carl Levin and Howard B. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 as a precondition for any action under subsection (e) of such section.

SEC. 1046. MANAGEMENT OF MILITARY TECHNICIANS

(a) Conversion of Certain Military Technician (Dual Status) Positions to Civilian Positions.—

(1) In General.—The Secretary of Defense shall convert not fewer than 20 percent of the positions described in paragraph (2) as of January 1, 2017, from military technician (dual status) positions to positions filled by individuals who are employed under section 3011 of title 5, United States Code, and are not military technicians.

(2) Covered Positions.—The positions described in this paragraph are military technician (dual status) positions as the Secretary shall specify for purposes of this subsection.

(b) Pursuant to Preparation of Army Reserve, Air Force Reserve, and National Guard Non-Dual Status Technicians.—

(1) In General.—Section 1023(b) of title 10, United States Code, is amended by adding at the end of the following new subsection:

"(d) Phased-In Termination of Positions.—(1) No individual may be newly hired or employed, as a non-dual status technician, to serve in a non-dual status technician for the purposes of this section after December 31, 2015.

(2) Commencing January 1, 2017, the maximum number of non-dual status technicians employed by the Army Reserve and by the Air Force Reserve shall be reduced from the number otherwise provided by subsection (c)(1) by one for each individual who retires, is separated from, or otherwise ceases service as a non-dual status technician of the Army Reserve or the Air Force Reserve, as the case may be, after such date until the maximum number of non-dual status technicians employed by the Army Reserve or the Air Force Reserve, as the case may be, is zero.

(3) Commencing January 1, 2017, the maximum number of non-dual status technicians employed by the National Guard shall be reduced from the number otherwise provided by subsection (c)(2) by one for each individual who retires, is separated from, or otherwise ceases service as a non-dual status technician of the National Guard after such date until the maximum number of non-dual status technicians employed by the National Guard is zero.

(4) Any individual newly hired or employed, or rehired or employed, to a position required to be filled by reason of the amendment made by paragraph (1) shall be an individual employed in such position under section 3011 of title 5, and may not be a military technician.

(5) Nothing in this subsection shall be construed to apply to a non-dual status technician under this section after December 31, 2016, of any individual who is a non-dual status technician for the purposes of this Act on that date.

(c) Report on Phased-In Terminations.—Not later than February 1, 2016, the Secretary of Defense shall submit to Congress a report setting forth a strategy for accomplishing the amendment made by paragraph (1)."

SEC. 1047. SENSE OF CONGRESS ON CONSIDERATION OF THE FULL RANGE OF DEPARTMENT OF DEFENSE MANPOWER WORLDWIDE IN DECISIONS ON THE NATIONAL DEFENSE STRATEGY.

It is the sense of Congress that, as the Department of Defense makes decisions on military end strength requests, proper sizing of the civilian workforce, and the proper mix of these sources of manpower with contractor personnel to accomplish the National Defense Strategy, the Secretary of Defense should consider the full range of manpower available to the Secretary in all locations worldwide in order to arrive at the proper mix and size of manpower to accomplish the Strategy without arbitrarily protecting or exempting any particular group or location from consideration.
(D) develop, in coordination with the Army and the Air Force, those phases of amphibious operations that pertain to the tactics, techniques, and equipment used by landing forces.

(E) be responsible, in accordance with the integrated joint mobilization plans, for the expansion of peacetime components of the Marine Corps that are needed in time of war.

Subtitle F—Studies and Reports

SEC. 1061. REPEAL OF REPORTING REQUIREMENTS.

(a) REPORTS UNDER TITLE 10, UNITED STATES CODE.

(1) ANNUAL REPORT ON GIFTS MADE FOR THE BENEFIT OF MILITARY MUSICAL UNITS.—Section 974(d) of title 10, United States Code, is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (f) as subsection (e).

(2) BIENNIAL REPORT ON SPACE SCIENCE AND TECHNOLOGY STRATEGY.—Section 2272(a) of title 10, United States Code, is amended by striking paragraph (5).

(3) ANNUAL REPORT ON PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.—Section 234a of title 10, United States Code, is amended—

(A) by striking subsection (e); and

(B) by redesignating subsection (f) as subsection (e).

(b) REPORTS UNDER PUBLIC LAW 113–66.—

(1) REPORTS ON USE OF TEMPORARY AUTHORITIES FOR CERTAIN POSITIONS AT DOD RESEARCH AND ENGINEERING FACILITIES.—Section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (127 Stat. 2538 note) is amended—

(A) by striking subsection (g); and

(B) by redesignating subsection (h) as subsection (g).

(2) ANNUAL REPORT ON ADVANCING SMALL BUSINESS GROWTH.—Section 1611 of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 1903) is amended—

(A) by striking subsection (b) and (c); and

(B) by redesignating subsection (d) as subsection (b).

(c) REPORTS UNDER PUBLIC LAW 112–239.

(1) ANNUAL REPORTS ON QUALITY ASSURANCE PROGRAMS FOR MEDICAL EVALUATION BOARDS AND PHYSICIAN EVALUATION BOARDS AND RELATED PERSONNEL.—Section 524 of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 1723) is amended by striking subsection (d).

(2) ANNUAL IMPACT STATEMENT ON NUMBER OF MEMBERS IN INTEGRATED DISABILITY EVALUATION SYSTEM ON READINESS REQUIREMENTS.—Section 1003 of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 1725) is hereby repealed.

(3) SENSE OF CONGRESS ON NOTICE ON UNIFORM GEOGRAPHIC CODES.—Section 974(d) of title 10, United States Code, is amended by striking paragraph (3).

(d) REPORTS UNDER PUBLIC LAW 113–229.

(1) ANNUAL REPORTS ON IMPACT OF OVERSEAS MILITARY BASES ON THE ECONOMY.—Section 630 of the National Defense Authorization Act for Fiscal Year 2014 (127 Stat. 946) is amended by striking subsection (d).

(2) ANNUAL REPORT ON ADVANCING SMALL BUSINESS GROWTH.—Section 1611 of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 1903) is amended—

(A) by striking subsection (b) and (c); and

(B) by redesignating subsection (d) as subsection (b).

(3) ANNUAL IMPACT STATEMENT ON NUMBER OF MEMBERS IN INTEGRATED DISABILITY EVALUATION SYSTEM ON READINESS REQUIREMENTS.—Section 1003 of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 1725) is hereby repealed.

(e) REPORTS UNDER PUBLIC LAW 111–383—


(A) by striking subsection (f); and

(B) by redesignating subsection (g) as subsection (f).

(2) REPORT ON TASK FORCE FOR BUSINESS AND ACQUISITION INTEGRATION—Section 1535(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (124 Stat. 4426) is amended by striking paragraph (6).


(4) REPORT ON THE BUSINESS GROWTH.—Section 1611 of the National Defense Authorization Act for Fiscal Year 2009 (122 Stat. 4568) is amended by striking paragraph (5).


(b) REPORTS UNDER PUBLIC LAW 110–181—

(1) BIENNIAL UPDATE OF STRATEGIC MANAGEMENT PLAN.—Section 904(d) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 275) is amended by striking paragraph (3).

(2) REPORTS ON ACCESS OF RECEIVING SERVICES MEMBERS TO APPROPRIATE RESIDENTIAL FACILITIES.—Section 1662 of the Wounded Warrior Act (title XVI of Public Law 110–181; 122 Stat. 479; 10 U.S.C. 1071 note) is amended—

(A) by striking ‘‘(a) REQUIRED INSPECTIONS OF FACILITIES.’’; and

(B) by striking subsection (b).

(c) REPORTS UNDER PUBLIC LAW 109–364.—


(A) by striking subsection (d), (e), and (f); and

(B) by redesignating subsection (g) as subsection (d).

(2) REPORTS TO ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES EXPERIENCING GROWTH IN ENROLLMENT, SCHOOLS, AND FACILITIES.—Section 574 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (20 U.S.C. 7703b note) is amended—

(A) by striking subsection (c); and

(B) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(3) ANNUAL REPORT ON DOMESTIC RESEARCH, REPAIR, AND MAINTENANCE OF VESSELS UNDER ACQUISITION POLICY ON OBTAINING CARRIAGE BY VESSELS.—Section 1917 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (120 Stat. 2379) is amended—

(A) by striking subsection (e); and

(B) by redesignating subsection (f) as subsection (e).


(A) by striking paragraph (2); and

(B) by redesignating paragraph (3) as paragraph (2).


(l) REPORTS ON EXPERIMENTAL PERSONNEL MANAGEMENT PROGRAM FOR SCIENTIFIC AND TECHNICAL PERSONNEL OF THE DEPARTMENT OF THE STROM THURMOND NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1999 (3 U.S.C. 3104) is amended by striking subsection (e).

SEC. 1062. TERMINATION OF REQUIREMENT FOR SUBMITTAL TO CONGRESS OF REPORTS REQUIRED BY DEPARTMENT OF DEFENSE BY STATUTE.

(a) TERMINATION.—Effective on the date that is two years after the date of the enactment of this Act, each report described in subsection (b) that is still required to be submitted to Congress as of such effective date shall no longer be required to be submitted to Congress.

(b) COVERED REPORTS.—A report described in this subsection is a report that is required to be submitted to Congress by the Department of Defense, or by any officer, official, component, or element of the Department, by a provision of statute (including title 10, United States Code, or a potential future role in defense authorization act) as of April 1, 2015.

SEC. 1063. ANNUAL SUBMITTAL TO CONGRESS OF GROUND FORCES IN THE PACIFIC THEATER.

(a) GENERAL ASSIGNMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly conduct a comprehensive operational assessment of United States ground forces and supply operations, including their movement, and protecting the shores of host nations and friendly naval forces and supply operations.

(2) MOVEMENT OF FORCES.—The Secretary and the Chairman shall assess the feasibility and potential effectiveness of the movement by United States ground forces, jointly with host nations, of the following:

(A) Anti-ship mines and mobile missiles as a means of neutralizing adversary naval forces, including amphibious forces, and in hindering their movement, and protecting the shores of host nations and friendly naval forces and supply operations.

(B) Mobile air defense surveillance and missile systems of host-nation territory and ground, naval, and air forces, and to deny access to defended airspace by adversaries.

(C) Electronic warfare capabilities to support air and naval operations.

(D) Hardened ground-based communications capabilities for host-nation defense and for United States ground, naval, and satellite communications.

(E) Maneuver forces to assist in host-nation defense, to deny access to adversaries, and to provide security for air and naval deployment.

(F) Geopolitical impact of enhanced ground forces by the Secretary and the Chairman shall also jointly assess the potential geopolitical impact on the United States
posture in the Pacific theater of a strategy of long-term engagement by United States ground forces with the island nations of the western Pacific to enhance United States strategic relationships with potential partners in the region.

(c) **TYPES OF ANALYSES TO BE CONDUCTED.—** The Joint Staff and the Chairman shall conduct the assessment required by subsection (a) using operations research methods and war gaming, in addition to historical analysis of the use of ground forces by the United States and Japan in the Pacific theater during World War II.

(d) **RESOURCES.—** In conducting the assessment described in subsection (a), the Secretary and the Chairman shall use the following, as appropriate:

(1) The United States Pacific Command.

(2) The Joint Requirements and Analysis Division and the war gaming resources of the Warfighting Analysis Division of the Force Structure, Resources, and Assessment Directorate of the Joint Staff, augmented as necessary and appropriate from the war colleges of the military departments.

(3) The Office of Net Assessment.

(4) The Office of Research and Development (FORODs).

(e) **COMPLETION DATE.—** The assessments required by this section shall be completed not later than one year after the date of enactment of this Act.

(f) **BRIEFING OF CONGRESS.—** Upon the completion of the assessments required by this section, the Secretary and the Chairman shall provide a briefing on the assessments to:

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

Subtitle G—Other Matters

**SEC. 1081.** TECHNICAL AND CLERICAL AMENDMENTS.

(a) **AMENDMENTS TO TITLE 10, UNITED STATES CODE.—** Title 10, United States Code, is amended as follows:

(1) The tables of chapters at the beginning of subtitle A, and at the beginning of part I of such subchapter, are amended by striking the item relating to chapter 19 and inserting the following new item:

**19. Cyber Matters...........................................391.**

(2) The heading of section 1306 is amended to read as follows:

**“1306. Treatment under Freedom of Information Act of certain critical infrastructure security information.”**

(3) The heading of section 158(a)(5) is amended to read as follows: “JOINT FORCE DEVELOPMENT ACT.”

(4) The table of sections at the beginning of chapter 19 is amended by striking the item relating to section 391 and inserting the following new item:

**“391. Reporting on cyber incidents with respect to networks and information systems of operationally critical contractors and certain other contractors.”**

(5) The table of sections at the beginning of subchapter I of chapter 21 is amended by inserting after the item relating to section 429 the following new item:

**“430. Tactical exploitation of national capabilities executive agent.”**

(6) Section 2006a is amended—

(A) in subsection (a), by striking “August, 1” and inserting “August, 10”;

(B) by striking “the such program or authorities” and inserting “the program”;

(C) by striking “which such program or authorities” and inserting “the program”;

(D) by striking “which such program or authorities” and inserting “the program”;

(E) by striking “the such program or authorities” and inserting “the program”;

(F) by striking “the such program or authorities” and inserting “the program”;

(G) by striking “the such program or authorities” and inserting “the program”;

(H) by striking “the such program or authorities” and inserting “the program”;

(I) by striking “the such program or authorities” and inserting “the program”;

(J) by striking “the such program or authorities” and inserting “the program”;

(K) by striking “the such program or authorities” and inserting “the program”;

(L) by striking “the such program or authorities” and inserting “the program”;

(M) by striking “the such program or authorities” and inserting “the program”;

(N) by striking “the such program or authorities” and inserting “the program”;

(O) by striking “the such program or authorities” and inserting “the program”;

(P) by striking “the such program or authorities” and inserting “the program”;

(Q) by striking “the such program or authorities” and inserting “the program”;

(R) by striking “the such program or authorities” and inserting “the program”;

(S) by striking “the such program or authorities” and inserting “the program”;

(T) by striking “the such program or authorities” and inserting “the program”;

(U) by striking “the such program or authorities” and inserting “the program”;

(V) by striking “the such program or authorities” and inserting “the program”;

(W) by striking “the such program or authorities” and inserting “the program”;

(X) by striking “the such program or authorities” and inserting “the program”;

(Y) by striking “the such program or authorities” and inserting “the program”;

(Z) by striking “the such program or authorities” and inserting “the program”;

{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}{ref}
SEC. 1082. AUTHORITY TO PROVIDE TRAINING AND SUPPORT TO PERSONNEL OF FOREIGN MINISTRIES OF DEFENSE.


(1) in subparagraphs (b) through (e) as subsections (c) through (f), respectively; and

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

"(b) TRAINING OF PERSONNEL OF FOREIGN MINISTRIES WITH SECURITY MISSIONS.—

(1) IN GENERAL.—The Secretary of Defense may, in the opinion of the Secretary of State, carry out a program to provide training and associated training support services to personnel of foreign ministries of defense (or ministries with security force oversight) or regional organizations with security missions—

(A) for the purpose of—

(i) enhancing civilian oversight of foreign security forces;

(ii) establishing responsible defense governance controls in order to help build effective, transparent, and accountable defense institutions;

(iii) assessing organizational weaknesses and establishing a roadmap for addressing shortfalls; and

(iv) enhancing ministerial, general or joint staff, or service level core management competencies; and

(B) for such other purposes as the Secretary considers appropriate, consistent with the authority in subsection (a).

(2) IN TULSA.—In carrying out such program, the Secretary of Defense shall submit to the appropriate committees of Congress a report on activities under the program that follows through "In carrying out" and inserting "IN TULSA.—" and all that follows through "In carrying out" and inserting "IN TULSA.—In carrying out";

(2) by striking paragraph (2);

(3) by redesignating subparagraphs (A) through (E) as paragraphs (1) through (5), respectively, and adjusting the indentation of the margin of such paragraphs, as so redesignated, two em spaces;

(4) in paragraph (1), as so redesignated, by striking "140,000 gross square feet" and inserting "140,000 net usable square feet";

(b) A PROPOSAL.—The proposal described in subsection (a) shall be accompanied by—

(1) a detailed description of the proposed training program, including the purpose of the program, the objectives to be achieved, and the expected outcomes; and

(2) a detailed budget, including an itemized list of all anticipated expenses and a justification for each expenditure.

(c) CONFIRMING AMENDMENTS.—In carrying out the program described in subsection (a), the Secretary of Defense may—

(1) in subparagraph (C), by striking "140,000" and inserting "159,999"; and

(2) in subparagraph (D), by striking the period at the end and inserting "; and".

SEC. 1083. EXPANSION OF DETAILED REACH FOR VETERANS TRANSITIONING FROM SERVING ON ACTIVE DUTY.

(a) Expansion of Pilot Program.—Section 1081 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(2) by inserting the following:

"(b) the number of veterans who—

"(i) received outreach from the Department of Veterans Affairs while serving on active duty as a member of the Armed Forces; and

"(ii) participated in a peer support program to assist veterans transitioning from serving on active duty..

SEC. 1084. MODIFICATION OF CERTAIN REQUIREMENTS APPLICABLE TO MAJOR MEDICAL FACILITIES FOR A DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC IN TULSA, OKLAHOMA.

Section 601(b) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 128 Stat. 739) is amended—

(1) in paragraph (1)(A), by striking "IN TULSA.—" and all that follows through "In carrying out" and inserting "IN TULSA.—In carrying out";

(b) A PPLICATION.—The amendments made by subsection (a) shall apply to any covered employee (as that term is defined in section 1599e of title 10, United States Code, as added by such subsection) on or after the date of the enactment of this Act.

(c) CONFIRMING AMENDMENTS.—Title 5, United States Code, is amended—

(1) in section 3321(c) (A) by striking "Service or" and inserting "Service,"; and

(2) by inserting at the end of the section the following:

"(b) INCLUSION OF INFORMATION IN INTERIM REPORT.—Subsection (d)(1) of such section is amended—

(1) in subparagraph (C), by striking "and" and inserting a semicolon;

(2) in subparagraph (D), by striking the period at the end and inserting "; and"; and

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

"(E) the number of veterans who—

"(i) received outreach from the Department of Veterans Affairs while serving on active duty as a member of the Armed Forces; and

"(ii) participated in a peer support program to assist veterans transitioning from serving on active duty..

SEC. 1085. AUTHORITY TO PROVIDE TRAINING AND SUPPORT TO PERSONNEL OF THE DEPARTMENT OF VETERANS AFFAIRS BASED UPON UNACCEPTABLE PERFORMANCE.

(a) DELAY.—Under procedures established by the Secretary of Defense, upon a determination by the Secretary that the work of an employee or employee group is not at an acceptable level of competence, the period of time during which the work of the employee or employee group is not at an acceptable level of competence shall not apply to any individual covered by section 1599e of title 10.

SEC. 1102. DELAY OF PERIODIC STEP INCREASE FOR CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE BASED UPON UNACCEPTABLE PERFORMANCE.

(a) DELAY.—Under procedures established by the Secretary of Defense, upon a determination by the Secretary that the work of an employee or employee group is not at an acceptable level of competence, the period of time during which the work of the employee or employee group is not at an acceptable level of competence shall not apply to any individual covered by section 1599e of title 10.

(b) APPLICABILITY TO PERIODS OF SERVICE.—Subsection (a) shall not apply with respect to any period of service performed before the date of the enactment of this Act.

SEC. 1103. PROCEDURES FOR REDUCTION IN FORCE OF DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL.

Section 1597 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(4) REDUCTIONS BASED PRIMARILY ON PERFORMANCE.—The Secretary of Defense shall establish procedures to provide that, in implementing any reduction in force for civilian positions in the Department of Defense in the competitive service or the excepted service, the determination of which employees shall be separated and from which position in the Department shall be made primarily on the basis of performance, as determined under any applicable performance management system."
S3526

CONGRESSIONAL RECORD — SENATE

June 2, 2015

"§1599e. United States Cyber Command re-

(a) GENERAL AUTHORITY.—(1) The Sec-

ary of Defense may—

(A) establish, as positions in the excepted

service, any positions in the Department

of Defense that are comparable to or exceed

positions in or under which the employees

of the Department covered by the agree-

ment have the right to refuse assignment or

involuntary conversion to the excepted

service.

(2) The term ‘collective bargaining agree-

ment’ has the meaning given that term in

section 7106(a)(8) of title 5.

(3) The term ‘excepted service’ has the

meaning given that term in section 2103 of

title 5.

(4) The term ‘preference eligible’ has the

meaning given that term in section 2108 of

title 5.

(b) CONFORMING AMENDMENT.—Section

3132(a)(2) of title 5, United States Code, is

amended in the matter following subpara-

graph (E)—

(1) in clause (i), by striking ‘‘or’’ at the end;

(2) in clause (ii), by inserting ‘‘or’’ after the

semicolon; and

(3) by inserting after clause (iii) the follow-

ing new clause:

(iv) Any actions taken during the report-

ing period to fulfill such critical need.

(C) A discussion of how the planning and

actions taken under subparagraph (B) are

integrated into the strategic workforce plan-

ning of the Department.

(D) The metrics on actions occurring dur-

ing the reporting period, including the fol-

lowing:

(1) The number of employees in qualified

positions hired, disaggregated by occupation,

grade, and level or pay band.

(2) The number of separations of employ-

ees in qualified positions, disaggregated by

occupation and grade and level or pay band.

(3) The number of retirements of employ-

ees in qualified positions, disaggregated by

occupation, grade, and level or pay band.

(4) The number and amounts of recruit-

ment, relocation, and retention incentives

paid to employees in qualified positions,

disaggregated by occupation, grade, and

level or pay band.

(E) A description of the training provided

to supervisors of employees in qualified posi-

tions at the Department on the use of the

new authorities.

(F) THREE-YEAR PHORATIONARY PERI-

OD.—The probationary period for all employ-

ees hired under the authority established in this

section shall be three years.

(1) DEPARTMENT OF EXISTING COMPETITIVE

SERVICE POSITIONS.—(i) In the event that it is

determined that an individual serv-

ing in a position on the date of enactment of

this section that is selected to be converted
to a position in the excepted service under this

section shall have the right to refuse such

conversion.

(ii) After the date on which an individual

who refuses conversion under paragraph (1)

stops serving in the position selected to be

converted, the position may be converted to

a position in the excepted service.

(2) APPROPRIATE COMMITTEES OF CONGRESS.

(a) The term ‘appropriate committees of

Congress’ means—

(A) the Committee on Armed Services,

the Committee on Committees, the Senate

Security and Governmental Affairs, and the

Committee on Appropriations of the Senate; and

(b) the Committee on Armed Services and

the Committee on Appropriations of the

House of Representatives.

(2) The term ‘collective bargaining agree-

ment’ has the meaning given that term in

section 7106(a)(8) of title 5.

(3) The term ‘excepted service’ has the

meaning given that term in section 2103 of

title 5.

(4) The term ‘preference eligible’ has the

meaning given that term in section 2108 of

title 5.

(b) CONFORMING AMENDMENT.—Section

3132(a)(2) of title 5, United States Code, is

amended in the matter following subpara-

graph (E)—

(1) in clause (i), by striking ‘‘or’’ at the end;

(2) in clause (ii), by inserting ‘‘or’’ after the

semicolon; and

(3) by inserting after clause (iii) the follow-

ing new clause:

(iv) Any position established as a quali-

fied position in the excepted service by the

Secretary of Defense under section 1599e of

title 10;”.

(c) CLERICAL AMENDMENT.—The table of

sections at the beginning of chapter 81 of

title 10, United States Code, is amended by

inserting after the item relating to section

1599a the following new item:

‘‘1599e. United States Cyber Command

recommand and retention.’’.

SEC. 1105. ONE-YEAR EXTENSION OF AUTHORITY

TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Effective January 1, 2016, section 1101(a) of the

Duncan Hunter National Defense Au-

thorization Act for Fiscal Year 2009 (Public

Law 110–417; 122 Stat. 4615), as most recently

amended by section 1101 of the Carl Levin

and Howard P. ‘‘Buck’’ McKeon National De-

fense Authorization Act for Fiscal Year 2015

(Public Law 113–291; 128 Stat. 3214), is further

amended by striking through ‘‘2015’’ and insert-

ing ‘‘2016’’.

SEC. 1106. FIVE-YEAR EXTENSION OF EXPEDITED

HIRING AUTHORITY FOR DESIGNATED DEFENSE ACQUISITION WORKFORCE POSITIONS.

Section 1706(g)(2) of title 10, United States

Code, is amended by striking ‘‘September 30, 2015’’

and inserting ‘‘September 30, 2020’’.

SEC. 1107. ONE-YEAR EXTENSION OF DISCREP-

TIONARY AUTHORITY TO GRANT AL-

LOWANCES, BENEFITS, AND GRATU-

ITIES TO CIVILIAN PERSONNEL ON

OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the

Emergency Supplemental Appropriations Act

for Defense, the Global War on Terror,

and Hurricane Katrina (Public Law

109–243; 110 Stat. 243), as amended by

section 4117 of the Duncan Hunter National Defense

Authorization Act for Fiscal Year 2009 (Public

Law 110–417; 122 Stat. 4615) and most re-

cently amended by section 1102 of the Carl

Levin and Howard P. ‘‘Buck’’ McKeon Na-

tional Defense Authorization Act for Fiscal Year

2015 (Public Law 113–291), is further

amended by striking ‘‘2015’’ and inserting

‘‘2016’’.
SEC. 1109. EXTENSION OF TEMPORARY AUTHORITY TO MAKE DIRECT APPOINTMENTS TO ATTEND BACHELOR'S DEGREES TO SCIENTIFIC AND ENGINEERING POSITIONS AT SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.

SEC. 1110. EXTENSION OF AUTHORITY FOR THE CIVILIAN IN-CUSTODY WORKFORCE PERSONNEL DEMONSTRATION PROJECT.

SEC. 1111. PILOT PROGRAM ON DYNAMIC SHAPING OF THE WORKFORCE TO IMPROVE THE TECHNICAL SKILLS AND EXTEND THE WORKFORCE SIZE OF CERTAIN DEPARTMENT OF DEFENSE LABORATORIES.

(a) PILOT PROGRAM REQUIRED.—The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of the use of the authorities specified in subsection (b) at the Department of Defense laboratories specified in subsection (c) to permit the recruitment of such laboratories to dynamically shape the mix of technical skills and expertise in the workforces of such laboratories in order to achieve one or more of the following:

(1) To meet organizational and Department-designated missions in the most cost-effective and efficient manner.

(2) To upgrade and enhance the scientific quality of the workforces of such laboratories.

(3) To shape such workforces to better respond to such missions.

(b) WORKFORCE SHAPING AUTHORITIES.—The authorities permitted to be used by the Secretary of a Department of Defense laboratory under the pilot program are the following:

(1) FLEXIBLE LENGTH AND RENEWABLE TERM TECHNICAL APPOINTMENTS.—

(A) IN GENERAL.—Subject to the provisions of this paragraph, authority otherwise available to the director by law (and within the available budget of the resources of the laboratory) to appoint qualified scientific and technical personnel who are not currently Department of Defense civilian employees into any scientific or technical position in the laboratory for a period of more than one year but not more than six years.

(B) BENEFITS.—Personnel appointed under this paragraph shall be provided with benefits comparable to those provided to similar employees at the laboratory concerned, including professional development opportunities, eligibility for all laboratory awards programs, and designation as ‘‘status applicants’’ for the purposes of eligibility for positions in the Federal service.

(c) EXPANSION OF APPOINTMENTS.—The appointment of any individual under this paragraph may be extended at any time during the term of the appointment under this paragraph for a period of up to six years under such conditions as the director concerned shall establish for purposes of this paragraph.

(d) CONSTRUCTION WITH CERTAIN LIMITATIONS.—For purposes of determining the size of the workforce in connection with compliance with section 955 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-289; 126 Stat. 1896; 10 U.S.C. 2358 note), any individual serving in an appointment under this paragraph shall be treated as a fractional employee of the laboratory, which fraction is—

(1) the current term of appointment of the individual under this paragraph; divided by

(2) the average length of tenure of a career employee at the laboratory, as calculated at the end of the last fiscal year ending before the date of the most recent appointment or extension of the individual under this paragraph.

SEC. 1112. PILOT PROGRAM ON TEMPORARY EXTENSION OF AUTHORITY FOR THE DEPARTMENT OF DEFENSE LABORATORIES.

(a) IN GENERAL.—The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of the temporary assignment of covered employees of the Department of Defense to nontraditional defense contractors and of reemployed employees of such contractors to the Department.

(b) COVERED EMPLOYEES; NONTRADITIONAL DEFENSE CONTRACTORS.—An employee of the Department of Defense or of a nontraditional defense contractor is a covered employee for purposes of this section if the employee—

(A) works in the field of financial management or in the acquisition field;

(B) is considered by the Secretary of Defense to be an exceptional employee; and

(C) is compensated at a rate not less than the GS-11 level (or the equivalent).

(c) AGREEMENTS.—

(1) IN GENERAL.—The Secretary of Defense shall provide for the written agreement among the Department of Defense, the nontraditional defense contractor concerned, and the employee concerned regarding the terms and conditions of the employee’s assignment under this section.

(2) ELEMENTS.—An agreement under this subsection—

(A) shall require, in the case of an employee to whom the Department or the contractor (as the case may be) has assigned an employee under this section, that upon completion of the assignment, the employee will serve in the civil service for a period at least equal to three times the length of the assignment, unless the employee is sooner involuntarily separated from the service of the employee’s agency and

(B) shall provide that if the employee of the Department or of the contractor (as the case may be) fails to carry out the agreement, or if the employee is voluntarily separated from the service of the employee’s agency, the employee shall be liable to the United States for payment of all expenses of the assignment unless that failure or voluntary separation was for good and sufficient reason, as determined by the Secretary.

(d) DURATION.—An assignment under this section may, at any time and for any reason, be terminated by the Department of Defense or the nontraditional defense contractor concerned.

(e) STATUS OF FEDERAL EMPLOYEES ASSIGNED TO CONTRACTORS.—An employee of the Department of Defense who is assigned to a nontraditional defense contractor under this section shall be considered, during the period of assignment, to be on detail to a regular work assignment in the Department of Defense for purposes of the written agreement established under subsection (c) shall address the specific terms and conditions related to

before that date in accordance with the terms of such authorization.
the employee’s continued status as a Federal employee.

(9) TERMS AND CONDITIONS FOR PRIVATE SECTOR EMPLOYEES.—An employee of a nontraditional defense contractor who is assigned to a Department of Defense organization under this section—

(1) shall continue to receive pay and benefits from the contractor from which such employee is assigned;

(2) shall be deemed to be an employee of the Department of Defense for the purposes of—

(A) chapter 73 of title 5, United States Code;

(B) sections 201, 203, 205, 207, 208, 209, 603, 606, 607, 613, 615, and 1913 of title 18, United States Code, and any other conflict of interest statute;

(C) sections 1343, 1344, and 1349(b) of title 31, United States Code;

(D) the Federal Tort Claims Act and any other Federal tort liability statute;

(E) the Ethics in Government Act of 1978;

(F) section 1903 of the Internal Revenue Code of 1986; and

(g) chapter 21 of title 41, United States Code;

(h) subchapter I of chapter 81 of title 5, United States Code, relating to compensation for work-related injuries; and

(i) the Servicemembers Civil Relief Act.

(10) PROHIBITION AGAINST CHARGING CERTAIN COSTS TO FEDERAL GOVERNMENT.—A nontraditional defense contractor may not charge the Department of Defense or any other agency of the Federal Government, as direct or indirect costs under a Federal contract, the costs of pay or benefits paid by the contractor to an employee assigned to a Department organization, to any trade secrets or to any other nonpublic information which is of commercial value to the contractor from which such employee is assigned.

(11) PROHIBITION AGAINST CHARGING CERTAIN COSTS TO FEDERAL GOVERNMENT.—In providing for assignments of employees under this section, the Secretary of Defense shall take into consideration the question of how assignments might best be used to help meet the needs of the Department of Defense with respect to the training of employees in financial management or in acquisition.

(12) REQUIREMENTS FOR ASSIGNMENTS.—

(A) DEPARTMENT EMPLOYEES.—The number of employees of the Department of Defense who may be assigned to nontraditional defense contractors under this section at any given time may not exceed the following:

(B) Five employees in the field of financial management.

(C) Five employees in the acquisition field.

(D) Nontraditional defense contractor employers.—The total number of nontraditional defense contractor employers who may be assigned to the Department under this section at any given time may not exceed 10 such employers.

(13) LIMITATIONS FOR AUTHORITY FOR ASSIGNMENTS.—No assignment of an employee may commence under this section after September 30, 2019.

SEC. 1113. PILOT PROGRAM ON ENHANCED PAY AUTHORITY FOR CERTAIN ACQUISITION AND TECHNOLOGY POSITIONS IN THE DEFENSE ACQUISITION WORKFORCE.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a pilot program to assess the feasibility and advisability of authorizing an authority or any authority specified in subsection (d) to fix the rate of basic pay for positions described in subsection (c) in order to assist the Office of the Secretary of Defense in acquiring and retaining high quality acquisition and technology experts in positions responsible for managing and developing complex, high cost, technological acquisition efforts of the Department of Defense.

(b) APPROVAL REQUIRED.—The pilot program may be carried out only with approval as follows:

(1) Approval of the Under Secretary of Defense for Acquisition, Technology, and Logistics, in the case of positions in the Office of the Secretary of Defense.

(2) Approval of the Defense Acquisition Executive of the military department concerned, in the case of positions in a military department.

(c) POSITIONS.—The positions described in this subsection are positions that—

(1) require expertise of an extremely high level in a scientific, technical, professional, or acquisition management field; and

(2) are critical to the successful accomplishment of an important acquisition or technology development mission.

(d) RATE OF BASIC PAY.—The pay authority specified in this subsection is authority as follows:

(1) Authority to fix the rate of basic pay for a position at a rate not to exceed 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the Under Secretary of Defense for Acquisition, Technology, and Logistics or the Defense Acquisition Executive concerned, as applicable.

(2) Authority to fix the rate of basic pay for a position at a rate in excess of 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the Secretary of Defense.

(e) LIMITATIONS.—

(1) IN GENERAL.—The authority in subsection (a) may be used only to the extent necessarily to competitively recruit or retain individuals exceptionally well qualified for positions described in subsection (c), as applicable.

(2) NUMBER OF POSITIONS.—The authority in subsection (a) may be used with respect to more than five positions in the Office of the Secretary of Defense and more than five positions in each military department at any one time.

(f) TERMINATION.—

(1) IN GENERAL.—The authority in subsection (a) may be used only for positions having terms less than five years.

(2) TERMINATION.—

(a) PILOT PROGRAM.—The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of authorizing qualified candidates to positions described in subsection (b) in the defense acquisition workforce of the military departments to which the provisions of subchapter I of chapter 33 of title 5, United States Code, apply.

(b) POSITIONS.—The positions described in this subsection are positions in the defense acquisition workforce of the military departments to which the provisions of subchapter I of chapter 33 of title 5, United States Code, apply.

(2) CONTINUATION OF PAY.—Nothing in paragraph (1) shall be construed to prohibit the pay authority specified in paragraph (1) of the authority in subsection (a) from being used after that date.

SEC. 1114. PILOT PROGRAM ON DIRECT HIRE AUTHORITY FOR VETERAN TECHNICAL EXPERTS INTO THE DEFENSE ACQUISITION WORKFORCE.

(a) AUTHORITY.—Each military department may appoint qualified candidates possessing a scientific or engineering degree to positions described in subsection (b) in the defense acquisition workforce of that military department.

(b) APPOINTMENT AUTHORITY.—

(1) IN GENERAL.—The authority to appoint qualified candidates possessing a scientific or engineering degree to positions described in subsection (b) in the defense acquisition workforce of that military department is limited to the appointment of candidates greater than the number equal to 1 percent of the total number of scientific and engineering positions within the defense acquisition workforce of that military department that are filled as of the close of the fiscal year last ending before the start of such calendar year.

(2) TERMINATION.—The authority to make appointments under this section shall not be available after December 31, 2020.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Training and Assistance

SEC. 1201. ONE-YEAR EXTENSION OF FUNDING LIMITATIONS FOR AUTHORITY TO BUILD THE CAPACITY OF FOREIGN SECURITY FORCES.

Section 1203(k) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended—

(1) in paragraph (1)—

(A) by striking "for fiscal year 2015" and all that follows through "3401" and inserting "for fiscal year 2015 or 2016 for the Department of Defense for operation and maintenance"; and

(B) by inserting ", in such fiscal year" before the period; and

(2) in paragraph (2), by striking "for fiscal year 2015" and inserting "for a fiscal year specified in that paragraph".
SEC. 1202. EXTENSION AND EXPANSION OF AUTHORITY FOR REIMBURSEMENT TO THE GOVERNMENT OF JORDAN FOR BORDER SECURITY OPERATIONS.

(a) EXPANSION TO GOVERNMENT OF LEBA-
nON.—Subsection (a) of section 1207 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 897; 10 U.S.C. 401 note) is amended to read as follows:

(1) by inserting “and the Government of Lebanon” after “the Government of Jordan” each place it appears and inserting “armed forces of the country concerned”;

(b) SCOPE.—Subsection (a) of such section is further amended—

(1) in paragraph (1)—

(A) by striking “maintaining” and inserting “enhancing”;

(B) by striking “increase security and sustain increased security along the border between Jordan and Syria” and inserting “sustain security along the border of Jordan with Syria and Iraq and increase or sustain security along the border of Lebanon with Syria, as applicable”;

(2) in paragraph (3)—

(A) by striking “maintain” and inserting “enhance”;

(B) by striking “increase security or sustain increased security along the border between Jordan and Syria” and inserting “sustain security along the border of Jordan with Syria and increase or sustain security along the border of Lebanon with Syria, as applicable”;

(c) FUNDS.—Subsection (b) of such section is amended to read as follows:

“(b) FUNDS AVAILABLE FOR ASSISTANCE.—While the authority in this section is in effect, amounts may be used to provide assistance under the authority in subsection (a) as follows:

“(1) Amounts authorized to be appropriated for a fiscal year for the Department of Defense and available for reimbursement of certain coalition nations for support provided to United States military operations pursuant to section 1203 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–81).

“(2) Amounts authorized to be appropriated for a fiscal year for the Department of Defense for the Counterterrorism Partnership Fund.”.

(d) LIMITATIONS.—Subsection (c) of such section is further amended—

(1) in paragraph (1), by striking “may not exceed $150,000,000” and inserting “in any fiscal year may not exceed $125,000,000”;

(2) by striking paragraph (2) and inserting the following new paragraph (2):

“(2) ASSISTANCE TO GOVERNMENT OF LEBA-
nON.—Assistance provided under the authority in subsection (a) to the Government of Lebanon may be used only for the armed forces of Lebanon, and may not be used for or to reimburse Hezbollah or any forces other than the armed forces of Lebanon.

(e) EXPIRATION OF AUTHORITY.—Subsection (f) of such section is amended by striking “December 31, 2015” and inserting “December 31, 2020”.

(f) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:

“SEC. 1207. ASSISTANCE TO THE GOVERNMENT OF JORDAN AND THE GOVERNMENT OF LEBANON FOR BORDER SECURITY OPERATIONS.”.

SEC. 1203. EXTENSION OF AUTHORITY TO CONDUCT ACTIVITIES TO ENHANCE THE CAPABILITY OF FOREIGN COUN-
TRIES TO DEAL WITH INCIDENTS INVOLVING WEAPONS OF MASS DE-
STRUCTION.


SEC. 1204. REDESIGNATION, MODIFICATION, AND EXPANSION OF NATIONAL GUARD STATE PARTNERSHIP PROGRAM.

(a) REDESIGNATION.—The heading of section 1205 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 113–66; 127 Stat. 897; 32 U.S.C. 401 note) is amended to read as follows:

“SEC. 1205. DEPARTMENT OF DEFENSE STATE PARTNERSHIP PROGRAM.

(b) SCOPE OF AUTHORITY.—Subsection (a) of such section is amended—

(1) in paragraph (1), by striking “a program of activities described in paragraph (2) between members of the national Guard of a State or territory and any of the following:

(A) The military forces of a foreign country.

(B) The security forces of a foreign country.

(C) Governmental organizations of a foreign country whose primary functions include disaster response or emergency response.

(2) by striking paragraph (2) and inserting the following new paragraph (2):

“(2) STATE PARTNERSHIP PROGRAM FUND.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Policy and the Under Secretary of Defense for Comptroller shall jointly submit to the congressional defense committees a report setting forth a joint assessment of the feasibility and advisability of establishing a central fund to manage funds for programs and activities under the Department of Defense State Partnership Program under section 1205 of the National Defense Authorization Act for Fiscal Year 2014, as amended by this section.

(d) STATE PARTNERSHIP PROGRAM FUND.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Policy and the Under Secretary of Defense for Comptroller shall jointly submit to the congressional defense committees a report setting forth a description of the use of the authority provided by this section during the six-month period ending on the date of such report. Each report shall include the following:

(1) An assessment of the extent to which the support provided under this section during the period covered by such report facilitated the training of the armed forces of allied countries so supported in conducting counterterrorism operations in Africa.

(b) DESCRIPTION OF EFFORTS.—In this section, the term “logistic support, supplies, and services” means the support and services that received such support.

(c) LIMITATIONS.—Subsection (b) of such section is further amended—

(1) by striking “increase security or sustain increased security along the border between Jordan and Syria” and inserting “sus- tain increased security along the border between Jordan and Syria”;

(2) by striking paragraph (2) and inserting the following new paragraph (2):

“(2) A description of any efforts by countries so supported in conducting counterterrorism operations in Africa.

(d) LIMITATION.—Subsection (b) of such section is further amended—

(1) by striking “a program” and inserting “each program”; and

(2) by striking “the program” and inserting “such program”.

(e) PERMANENT AUTHORITY.—Such section is further amended by striking subsection (i).

SEC. 1205. AUTHORITY TO PROVIDE SUPPORT TO NATIONAL MILITARY FORCES OF ALI-
ED COUNTRIES FOR COUNTERTER-
RORISM OPERATIONS IN AFRICA.

(a) IN GENERAL.—The Secretary of Defense, with the concurrence of the Director of National Intelligence and the Secretary of State, is authorized to conduct or support a program or programs to train the military intelligence forces of a foreign country in order for that country to—

(1) improve interoperability with United States and allied forces;

(2) enhance the capacity of such forces to receive and act upon time-sensitive intelligence;

(3) increase the capacity and capability of such forces to fuse and analyze intelligence; and

(4) ensure the ability of such forces to support the military forces of that country in conducting lawful military operations in which logistic support, supplies, and services are provided.

(b) TYPES OF SUPPORT.—

(1) AUTHORIZED ELEMENTS.—A program under subsection (a) may include the provision of training, and associated supplies and support.

(2) REQUIRED ELEMENTS.—A program under subsection (a) shall include elements that promote the following:

(A) Observed, and respect for human rights and fundamental freedoms.

(B) Respect for civilian control of the military.

(c) LIMITATIONS.—
(1) ANNUAL FUNDING LIMITATION.—Of the amount authorized to be appropriated for the Department of Defense for a fiscal year and available for the military intelligence program (MIP) by the Secretary of Defense may use up to $25,000,000 in such fiscal year to carry out programs authorized by subsection (a).

(2) ASSISTANCE OTHERWISE PROHIBITED BY LAW.—The Secretary of Defense may not use the authority in subsection (a) to provide any type of assistance described in subsection (b) to any foreign country that is otherwise prohibited from receiving such assistance under any other provision of law.

(3) LIMITATION ON ELIGIBLE COUNTRIES.—The Secretary of Defense may not use the authority in subsection (a) to provide assistance described in subsection (b) to any foreign country that is otherwise prohibited from receiving such assistance under any other provision of law.

(4) CONGRESSIONAL NOTIFICATION.—Not less than 15 days before initiating activities under a program under subsection (a), the Secretary of Defense shall submit to the appropriate committees of Congress a notice on the following:

(a) the country whose capacity in activities in subsection (a) will be built under the program;

(b) the budget, implementation timeline with any mandatory department or agency otherwise responsible for management and associated program executive office, and completion date for the program;

(c) any support, provided with respect to an enduring arrangement between the United States and the forces provided training pursuant to subsection (a);

(d) the objectives and assessment framework to be used to develop capability and performance metrics associated with operational outcomes for the recipient forces.

(e) the capacity of the capacity of the recipient country to absorb assistance under the program.

(f) An assessment of the manner in which the program fits into the theater security cooperation strategy of the applicable geographic combatant command.

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

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

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

SEC. 1207. REPORT ON POTENTIAL SUPPORT FOR THE VETTED SYRIAN OPPOSITION.

(a) REPORT REQUIRED.—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 setting forth a detailed description of the military support the Secretary considers it necessary to provide to recipients of assistance under section 1209 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3541) upon their return to Syria to make use of such assistance.

(b) COVERED POTENTIAL SUPPORT.—The support the Secretary may consider it necessary to provide for purposes of the report is the following:

(1) Logistical support.

(2) Defensive supportive fire.

(3) Intelligence.

(4) Medical support.

(5) Any other support the Secretary considers appropriate for purposes of the report.

(c) ELEMENTS.—The report shall include the following:

(1) For each type of support the Secretary considers it necessary to provide as described in subsection (a), a description of the actions to be taken by the Secretary to ensure that such support would not benefit any of the following:

(A) The Islamic State of Iraq and Syria (ISIS), the Al-Nusra Front, al-Qaeda, the Khorasan Group, or any other extremist Islamic organization

(B) The Syrian Arab Army or any group or organization supporting President Bashar Assad.

(2) An estimate of the cost of providing such support.

(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to constitute an authorization for the use of force in Syria.

Subtitle B—Matters Relating to Afghanistan, Pakistan, and Iraq

SEC. 1221. DRAWDOWN OF UNITED STATES FORCES IN AFGHANISTAN.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the drawdown of United States forces in Afghanistan should be based on security conditions in Afghanistan and United States security interests in the region; and

(2) as the Afghan National Defense Security Forces develop security capabilities and capacity, an appropriate United States and international Afghanistan should continue, upon invitation by the Government of Afghanistan, to provide adequate capability and capacity to preserve gains made to date and continue support to the government in Afghanistan against terrorist organizations that can threaten United States interests or the United States homelands.

(b) CERTIFICATION CONCERNING RETURN OF VETTED SYRIAN OPPOSITION TO SYRIA.—Not later than 30 days after the date of the enactment of this Act, the President shall certify to the congressional defense committees a copy of the guidance issued by the Secretary of Defense to the Armed Forces concerning the Commander’s Emergency Response Program in Afghanistan as revised to take into account the amendments made by this section.

(c) AUTHORITY FOR CERTAIN PAYMENTS TO REDUCE INJURY AND LOSS IN IRAQ.—

(1) IN GENERAL.—During fiscal year 2016, amounts available pursuant to section 2012 of the National Defense Authorization Act for Fiscal Year 2015 (division C of Public Law 113-291) are further amended by striking “fiscal year 2015” in subsections (a), (b), and (d) and inserting “fiscal year 2016”.

(b) RESTRICTION ON AMOUNT OF PAYMENTS.—Subsection (e) of section 2012 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3546), is further amended by striking “fiscal year 2015” in subsections (a), (b), and (d) and inserting “fiscal year 2016”.

(c) AUTHORITY TO PAYMENT.—Not later than 15 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a copy of the guidance issued by the Secretary to the Armed Forces concerning the Commander’s Emergency Response Program in Afghanistan as revised to take into account the amendments made by this section.

SEC. 1222. EXTENSION OF AUTHORITY TO TRANSITION FOR DEFENSE SERVICES TO THE VETTED SYRIAN OPPOSITION.

(a) EXTENSION.—Subsection (h) of section 2222 of the National Defense Authorization Act for Fiscal Year 2015 (division C of Public Law 113-235) is further amended by striking “November 17, 2015” and inserting “December 31, 2015”.

(b) QUARTERLY REPORTS.—Subsection (f) of such section, as so amended, is further amended by striking “March 31, 2016” and inserting “March 31, 2017”.

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(c) EXCESS DEFENSE ARTICLES.—Subsection (1)(2) of such section, as so amended, is further amended by striking “, 2014, and 2015” each place it appears and inserting “through 2016”.  

SEC. 1224. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF ACCOUNTABILITY ACT OF 2008 FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.  

(a) EXTENSION.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–88; 122 Stat. 84; as so recently amended by section 1222(c) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), as so amended, is further amended—  

(1) by designating “fiscal year 2015” and inserting “fiscal year 2016” and;  

(b) OTHER SUPPORT.—Subsection (b) of such section 1233, as so amended, is further amended by inserting “Operation Enduring Freedom” and inserting “Operation Freedom’s Sentinel”;  

(b) LIMITATION ON AMOUNTS AVAILABLE.—Subsection (c) of such section 1233, as so amended, is further amended—  

(1) in the second sentence, by striking “during fiscal year 2015 may not exceed $1,200,000,000” and inserting “during fiscal year 2016 may not exceed $1,160,000,000”; and  

(2) in the third sentence, by striking “during fiscal year 2015 may not exceed $1,200,000,000” and inserting “during fiscal year 2016 may not exceed $1,000,000,000”;

(d) QUARTERLY REPORTS.—Subsection (f) of such section 1233, as so added by section 1222(c) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–81; 123 Stat. 2520), is amended by striking “on any” and all that follows and inserting “on any reimbursements made during such quarter under the authorities as follows:  

“(1) Subsection (a).  
(2) Subsection (b).  
(3) Section 1222(b) of the National Defense Authorization Act for Fiscal Year 2016.”.  

(e) EXTENSION OF NOTICE REQUIREMENT RELATING TO REIMBURSEMENT OF ACCOUNTABILITY ACT OF 2008 FOR SUPPORT PROVIDED TO PAKISTAN.—Section 1222(b)(6) of the National Defense Authorization Act for Fiscal Year 2008 (122 Stat. 393), as so recently amended by section 1222(c) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), is amended by striking “90 days there after” and inserting “90 days thereafter”.  

(f) EXTENSION OF LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION.—Section 1227(d)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2001), as so amended, is further amended by striking “fiscal year 2015” and inserting “fiscal year 2016”.  

(g) ADDITIONAL LIMITATION ON REIMBURSEMENT OF PAKISTAN PENDING CERTIFICATION.—Section 1222(b)(2) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2001), as so amended, is further amended by striking “fiscal year 2015” and inserting “fiscal year 2016”.

SEC. 1225. PROHIBITION ON TRANSFER TO VIOLENT EXTREME ORGANIZATIONS OF EQUIPMENT OR SUPPLIES PROVIDED BY THE UNITED STATES TO PAKISTAN.  

(a) PROHIBITION.—No assistance authorized by section 1236 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) may be provided pursuant to the Act to the Government of Pakistan during fiscal year 2016 pursuant to the third sentence of section 1233(d)(1) of the National Defense Authorization Act for Fiscal Year 2008 (as so amended), $100,000,000 may be available for stability activities undertaken by Pakistan in the Federally Administered Tribal Areas (FATA), including the provision of funds to the Pakistan military and the Pakistan Frontier Corps Khyber Pakhtunkhwa for activities undertaken in support of the following:  

(A) Building and maintaining border outposts.  
(B) Strengthening cooperative efforts between the Pakistan military and the Afghanistan National Defense Security Forces in activities that include—  

(i) bilateral meetings to enhance border security cooperation;  

(ii) sustaining critical infrastructure within the Federally Administered Tribal Areas, such as maintaining key ground lines of communication;  

(iii) increasing training for the Pakistan Frontier Corps Khyber Pakhtunkhwa; and  

(iv) training to improve interoperability between the Pakistan Frontier Corps Khyber Pakhtunkhwa.  

(b) ELEMENTS.—Each report under paragraph (1) shall include, for the transfer covered by such report, the following:  

(A) An assessment of the type and quantity of equipment or supplies so transferred.  
(B) A description, if known, of how such equipment or supplies were transferred or acquired by the violent extremist organizations covered by paragraph (1).  
(C) If such equipment or supplies are determined to remain under the current control of any violent extremist organization, a description of each such organization, including its relationship, if any, with the security forces of the Government of Iraq.  

(c) R EPORTS ON TRANSFERS OF EQUIPMENT OR SUPPLIES TO VIOLENT EXTREMIST ORGANIZATIONS.—  

(1) REPORTS REQUIRED.—Not later than 30 days after the Secretary of Defense makes any determination that equipment or supplies provided pursuant to the Act to the Government of Pakistan during fiscal year 2016 may not exceed $900,000,000’’.  

(2) ELEMENTS.—Each report under paragraph (1) shall include, for each transfer covered by such report, the following:  

(A) An assessment of the type and quantity of equipment or supplies so transferred.  
(B) A description, if known, of how such equipment or supplies were transferred or acquired by the violent extremist organization covered by paragraph (1).  
(C) A description, if known, of how such equipment or supplies were transferred or acquired by the violent extremist organization covered by paragraph (1).  

SEC. 1226. REPORT ON LINES OF COMMUNICATION OF ISLAMIC STATE OF IRAQ AND THE LEVANT AND OTHER FOREIGN TERRORIST ORGANIZATIONS.  

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on transfers of equipment or supplies so transferred in order prevent the transfer or acquisition of such equipment or supplies to violent extremist organizations.  

(1) An assessment of the lines of communication that enable the Islamic State of Iraq and the Levant (ISIL), Jabhah al-Nusra, and other foreign terrorist organizations by facilitating the delivery of weapon, funding, equipment, or other assistance through countries bordering on Syria.  

(2) An assessment of the impacts of the lines of communication described in paragraph (1) on the security of the United States homeland and the protection of personnel and assets of the Department of Defense and diplomatic facilities in Europe and the Middle East.  

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—  

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

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

SEC. 1227. MODIFICATION OF PROTECTION FOR AFGHAN ALLIES.  

(a) COVERED AFGHANS.—  

(1) TERMINOLOGY.—Clause (1) of section 602(b)(2)(A) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is
amended by striking “year”— and inserting “year, or, if submitting a petition after September 30, 2015, for a period of not less than 2 years.”

(2) TECHNICAL AMENDMENTS.—
   (A) SUCCESSOR NAME FOR INTERNATIONAL SECURITY ASSISTANCE FORCE.—Subclause (II) of section 602(b)(2)(A)(i) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—
      (i) in the matter preceding item (aa), by striking “Force” and inserting “Force (or any successor name for such Force),”; and
      (ii) in item (aa), by striking “Force,” and inserting “Force (or any successor name for such Force)”; and
   (B) SHORT TITLE.—Section 601 of the Afghan Allies Protection Act of 2009 is amended by striking “This Act” and inserting “This title”.

(C) EXECUTIVE AGENCY REFERENCE.—Section 602(c)(4) of the Afghan Allies Protection Act of 2009 is amended by striking “section 4 of the Office of Federal Procurement Policy Act of 2010” and inserting “section 131 of title 41, United States Code”.

(b) NUMERICAL LIMITATIONS.—Subparagraph (b)(3) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—
   (i) in the heading, by striking “2015 AND 2016” and inserting “2015, 2016, AND 2017”; and
   (ii) in the matter preceding clause (i)—
      (A) by striking “and ending on September 30, 2016,” and inserting “until such time that available special immigrant visas under subparagraphs (D) and (E) of this subparagraph are exhausted,” and
      (B) by striking “4,000,” and inserting “7,000,”
   (iii) in clause (i), by striking “September 30, 2015,” and inserting “December 31, 2015;”;
   (iv) in clause (ii), by striking “December 31, 2015,” and inserting “December 31, 2016;” and
   (v) in clause (iii), by striking “March 31, 2016,” and inserting “the date such visas are exhausted.”

(c) REPORTS AND SENSE OF CONGRESS.—Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended by adding at the end the following:
   “(15) REPORTS INFORMING THE CONCLUSION OF THE AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.—Not later than June 1, 2016, and every six months thereafter, the Secretary of Defense, in conjunction with the Secretary of State, shall submit to the Committee on Armed Services and the Committee on the Judiciary of the Senate and the Committee on Armed Services and the Committee on the Judiciary of the House of Representatives a report that contains—
      “(A) a description of the United States force presence in Afghanistan during the previous 6 months;
      “(B) a description of the projected United States force presence in Afghanistan;
      “(C) the number of citizens or nationals of Afghanistan who were employed by or on behalf of the entities described in paragraph (2)(A)(ii) during the previous 6 months; and
      “(D) the projected number of such citizens or nationals who will be employed by or on behalf of such entities during the current and planned presence of United States troops in Afghanistan, the current and prospective numbers of citizens and nationals of Afghanistan employed by or on behalf of the entities described in paragraph (2)(A)(ii), and the security climate in Afghanistan.”

SEC. 1228. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) EXTENSION OF AUTHORITY.—Subsection (f)(1) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 112 note) is amended by striking “fiscal year 2015” and inserting “fiscal year 2016”.

(b) AMOUNT AVAILABLE.—Such section is further amended—
   (1) in subsection (c), by striking “fiscal year 2015” and all that follows and inserting “fiscal year 2015 may not exceed $80,000,000.”;
   (2) in subsection (d), by striking “fiscal year 2015” and inserting “fiscal year 2016”; and
   (3) in subparagraph (A), by striking “2015 AND 2016” and inserting “2015, 2016, AND 2017”.

(c) SUPERSEDING REPORT REQUIREMENTS.—Such section is further amended—
   (1) in subparagraph (A), by striking “2015 AND 2016” and inserting “2015, 2016, AND 2017”.

SEC. 1229. SENSE OF SENATE ON SUPPORT FOR THE KURDISH REGIONAL GOVERNMENT.

(a) SENSE OF SENATE.—It is the sense of the Senate that—
   (1) the Islamic State of Iraq and the Levant (ISIL) poses a acute threat to the people and territorial integrity of Iraq, including the Kurdistan Region; the security and stability of the Middle East and the world;
   (2) the United States should, in coordination with coalition partners, provide, in an expeditious and responsive manner and without undue delay, the security forces of the Kurdistan Regional Government associated with the Government of Iraq with defense articles and assistance described in subsection (b), defense services, and related training to more effectively partner with the United States and other international coalition members to defeat the Islamic State of Iraq and the Levant;
   (3) defeating the Islamic State of Iraq and the Levant is critical to maintaining a unified Iraq in which all faiths, sects, and ethnicities are afforded equal protection and full integration into the Government and society of Iraq;
   (4) due to the threat to United States national security and a free and inclusive Iraq brought by the Islamic State of Iraq and the Levant, section 1236 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) authorizes the Secretary of Defense to provide assistance, including training, equipment, logistics support, supplies, and services, to the Kurdistan Regional Government; and
   (5) leaders of the Islamic State of Iraq and the Levant have stated that they intend to conduct terrorist attacks internationally, including against the United States, its citizens, and its interests; and
   (6) the Kurdish Regional Government is the democratically elected government of the Iraqi Kurdistan Region, and Iraqi Kurds have been a reliable and capable partner of the United States, particularly in support of United States military and civilian personnel during Operation Iraqi Freedom and Operation New Dawn.

(b) DEFENSE ARTICLES AND ASSISTANCE.—The defense articles and assistance described in this subsection include anti-tank and anti-armor weapons, armored vehicles, long-range artillery, crew-served weapons and ammunition, secure command and communications equipment, body armor, helmets, logistics equipment, night vision devices, and other excess defense articles and military assistance considered appropriate by the President.

Subtitle C—Matters Relating to Iran

SEC. 1241. MODIFICATION AND EXTENSION OF ANNUAL REPORT ON THE MILITARY POWER OF IRAN.

(a) ELEMENT ON CYBER CAPABILITIES IN DE- DESCRIPTION OR STATUTORY AUTHORITY.—Subsection (b) of section 1245 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 114-82; 128 Stat. 2542) is amended—
   (1) in subparagraph (B), by striking “and” at the end;
   (2) in subparagraph (C), by striking the period at the end and inserting “and”;
   (3) by adding at the end the following new subparagraph:
“(D) Iranian strategy regarding offensive cyber capabilities and defensive cyber capabilities;”.

(b) ELEMENTS ON CYBER CAPABILITIES IN ASSESSMENTS OF UNCONVENTIONAL FORCES.—Paragraph (3) of such subsection, as amended by section 1232(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 920), is further amended—

(1) in subparagraph (D), by striking “and” after “aggression.”

(3) to include the following:

(1) Cyber capabilities.

(7) Other electronic warfare capabilities.

(8) Training required to maintain and employ systems and capabilities described in paragraphs (1) through (7).

(9) Training for critical combat operations such as planning, command and control, small unit tactics, counter-artillery tactics, logistics, countering improvised explosive devices, battle-field first aid, and medical evacuation.

(c) FUNDING AVAILABILITY AND LIMITATION.—

(1) TRAINING.—Up to 20 percent of the amount described in subsection (a) may be used to support training pursuant to section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 2151 note), relating to the Global Security Contingency Fund.

(2) Limitation.—Not more than 50 percent of the amount described in subsection (a) may be obligated or expended until an amount equal to 20 percent of such amount has been obligated or expended for appropriate security assistance described in subparagraphs (2) and (3) of subsection (b) for the Government of Ukraine.

(d) UNITED STATES INVENTORY AND OTHER SOURCES.—

(1) Training.—Up to 20 percent of the amount described in subsection (a) may be obligated or expended until an amount equal to 20 percent of such amount has been obligated or expended for appropriate security assistance described in subsection (a) in that country, with concurrence of the Secretary of Defense, with concurrence of the Secretary of State, to provide security assistance and intelligence support, including training, equipment, supplies and services, to military and other national-level security forces and defense services of the Government of Ukraine, for collective defense purposes.

(2) Replacement.—Amounts for the replacement of any items provided pursuant to paragraph (1) shall be deemed authorized to be appropriated for the Department of Defense for overseas contingency operations for weapons procurement.

(e) CONSTRUCTION OF AUTHORITY.—Nothing in this section shall be construed to constitute a specific statutory authorization for the introduction of United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

(f) TERMINATION OF AUTHORITY.—Assistance may not be provided under the authority in this section after December 31, 2017.

SEC. 1252. EASTERN EUROPEAN TRAINING INITIATIVE.

(a) Authority.—The Secretary of Defense may, with the concurrence of the Secretary of State, provide training (hereafter referred to as the “Eastern European Training Initiative”) to provide training, and pay the incremental expenses incurred by a country as a direct result of that country’s participation in training under the authority of this section, including rations, fuel, training ammunition, and transportation. Such term does not include pay, allowances, and other normal costs of a country’s personnel.

(b) More countries may be added to the list of countries covered by the Eastern European Training Initiative under the authority of this section after the date of the enactment of this Act.

(c) FUNDING.—Of the amounts authorized to be appropriated for fiscal year 2015 for the Department of Defense for overseas contingency operations as specified in the funding tables in division D, $300,000,000 may be available to the Secretary of Defense, in coordination with the Secretary of State, to provide appropriate security assistance and intelligence support, including training, equipment, supplies, and services, to military and other security forces of the Government of Ukraine for the purposes as follows:

(1) to enhance the capabilities of the military and other security forces of the Government of Ukraine to defend against further aggression;

(2) to assist Ukraine in developing the combat capability to defend its sovereignty and territorial integrity,

(3) to support the Government of Ukraine in defending itself against actions by Russia and Russian-backed separatists that violate the cease-fire agreements of September 4, 2014, and February 11, 2015.

(b) Types of Training.—The training provided pursuant to section 1207 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 2151 note), relating to the Global Security Contingency Fund.

(c) Limitation.—Not more than 50 percent of the amount described in subsection (a) may be obligated or expended until an amount equal to 20 percent of such amount has been obligated or expended for appropriate security assistance described in subparagraphs (2) and (3) of subsection (b) for the Government of Ukraine.

(d) Funding.—Of the amounts authorized to be appropriated for fiscal year 2015 for the Department of Defense for overseas contingency operations as specified in the funding tables in division D, $300,000,000 may be available to the Secretary of Defense, in coordination with the Secretary of State, to provide security assistance and intelligence support, including training, equipment, supplies and services, to military and other national-level security forces of Partnership for Peace nations other than Ukraine that the Secretary of Defense determines to be appropriate to assist such governments in preserving their sovereignty and territorial integrity against Russian aggression.

(e) UNITED STATES INVENTORY AND OTHER SOURCES.—

(1) Training.—Up to 20 percent of the amount described in subsection (a) may be obligated or expended until an amount equal to 20 percent of such amount has been obligated or expended for appropriate security assistance described in subparagraphs (2) and (3) of subsection (b) for the Government of Ukraine.

(2) Replacement.—Amounts for the replacement of any items provided pursuant to paragraph (1) shall be deemed authorized to be appropriated for the Department of Defense for overseas contingency operations for weapons procurement.

(e) CONSTRUCTION OF AUTHORITY.—Nothing in this section shall be construed to constitute a specific statutory authorization for the introduction of United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

(f) TERMINATION OF AUTHORITY.—Assistance may not be provided under the authority in this section after December 31, 2017.

SEC. 1253. INCREASED PRESENCE OF UNITED STATES GROUND FORCES IN EASTERN EUROPE TO DETER AGGRESSION ON THE BORDER OF THE NORTH ATLANTIC TREATY ORGANIZATION.

(a) Sense of Congress.—It is the sense of Congress that—

(1) the increased presence of United States and allied ground forces in Eastern Europe since April 2014 has provided a level of reassurance to North Atlantic Treaty Organization (NATO) members in the region and strengthened the capability of the organization to respond to any potential Russian aggression against Organization members;
(2) at the North Atlantic Treaty Organization Wales summit in September 2014 member countries agreed on a Readiness Action Plan which is intended to improve the ability of forces assigned to respond quickly and effectively to security threats on the borders of the Organization, including in Eastern Europe, and the challenges posed by hybrid warfare.

(3) the capability of the North Atlantic Treaty Organization to respond to threats on the eastern border of the Organization would be enhanced by a more sustained presence on the ground of Organization forces on the territories of Organization members in Eastern Europe; and

(4) an increased presence of United States ground forces in Eastern Europe should be matched by an increased force presence of European allies.

(b) REPORT.—(1) In general.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the congressional defense committees a report setting forth an assessment of options for establishing a permanent or rotational basis in Eastern Europe; and

(2) a description of any initiatives by other members of the North Atlantic Treaty Organization, or other European allies and other members of the North Atlantic Treaty Organization, or other European allies and territories of Organization members in Eastern Europe.

(c) ELEMENTS.—The assessment obtained for purposes of subsection (a) shall include the following:

(1) an identification and assessment of international industrial base capabilities, other than Rosoboronexport, to provide one or more of the following:

(A) Means of procuring nonstandard rotary wing aircraft historically procured through Rosoboronexport.

(B) Reliable and timely supply of required parts, spares, and consumables of such aircraft.

(C) Certifiable maintenance of such aircraft, including major periodic overhauls, damage repair, and modifications.

(D) Access to required data on such aircraft, including technical manuals and service bulletins.

(E) Credible certification of airworthiness of such aircraft through physical inspection, structural testing, and compliance with current administrative requirements to the contrary.

(2) An assessment (including an assessment of associated costs and risks) of alterations to the administrative processes of the United States Government that may be required to procure any of the capabilities specified in paragraph (1), including waivers to Department of Defense or Department of State requirements applicable to foreign military sales or alterations to procedures for approval of airworthiness certificates.

(3) An assessment of the potential economic impact to Rosoboronexport of procuring nonstandard rotary wing aircraft described in paragraph (1)(A) through entities other than Rosoboronexport.

(4) An assessment of the risks and benefits of using the entities identified pursuant to paragraph (1)(A) to procure aircraft described in that paragraph.

(5) Such other matters as the Under Secretary considers appropriate.

(d) USE OF PREVIOUS STUDIES.—The entity conducting the assessment for purposes of subsection (a) may use and incorporate information from previous studies on matters appropriate to the assessment.

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

Subtitle E—Matters Relating to the Asia-Pacific Region

SEC. 1261. SOUTH CHINA SEA INITIATIVE

(a) ASSISTANCE AUTHORITY.—(1) IN GENERAL.—The Secretary of Defense, through the Secretary of State, is authorized, for the purpose of increasing maritime security and maritime domain awareness of foreign countries along the South China Sea—

(A) to provide assistance to national military and maritime security and maritime domain awareness of foreign countries along the South China Sea—

(B) to provide assistance related to maritime domain awareness of such countries that have among their functional responsibilities maritime security missions; and

(C) to provide training to ministry, agency, and headquarters level organizations for such forces.

(2) DESIGNATION OF ASSISTANCE AND TRAINING AGAINST THE PRC.—The provision of assistance and training under this section may be referred to as the "South China Sea Initiative".

(b) RATIONALE FOR ALTERNATIVE CAPABILITIES.—Not later than 180 days after the date of enactment of this Act, and shall apply with respect to reports submitted under section 1256 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291) is amended—

(1) by redesigning paragraphs (4) through (15) as paragraphs (6) through (17), respectively; and

(2) by inserting after paragraph (3) the following new paragraph (4) and (5):

(4) An assessment of the focus structure and capabilities of Russian military forces stationed in each of the Arctic, Kaliningrad, and Crimea, including a description of any changes to such force structure or capabilities during the one-year period ending on the date of such report and with a particular emphasis on the status and area denial capabilities of such forces.

(5) An assessment of Russian military strategy and objectives for the Arctic region.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to reports submitted under section 1256 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 after that date.
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(b) RECIPIENT COUNTRIES.—The foreign countries that may be provided assistance and training under subsection (a) are the following:

(1) Indonesia.
(2) Malaysia.
(3) The Philippines.
(4) Thailand.

(c) TYPES OF ASSISTANCE AND TRAINING.—
(1) AUTHORIZED ELEMENTS OF ASSISTANCE.— Assistance provided under subsection (a) includes elements of the assistance or training that promote the following:

(A) Defense cooperation. (B) Support respect for human rights and fundamental freedoms.
(2) Required Elements of Assistance and Training.—Assistance and training provided under subsection (a) shall include elements that promote the following:

(A) The recipient and respect for human rights and fundamental freedoms.
(B) Respect for legitimate civilian authority within the country to which the assistance is provided.
(3) PRIORITIES FOR ASSISTANCE AND TRAINING.—In developing programs for assistance or training to be provided under subsection (a), the Secretary of Defense shall assume a priority to assistance, training, or both, that will enhance the maritime capabilities of the recipient foreign country, or a regional organization of which the recipient country is a member, to respond to emerging threats to maritime security.
(4) INCREMENTAL EXPENSES OF PERSONNEL OF CERTAIN OTHER COUNTRIES FOR TRAINING.—
(1) AUTHORITY FOR PAYMENT.—If the Secretary of Defense determines that the payment of incremental expenses in connection with training described in subsection (a)(1)(B) will facilitate the participation in such training of organization personnel of foreign countries specified in paragraph (2), the Secretary may use amounts available under subsection (1) for assistance and training under subsection (a) for the payment of such incremental expenses.
(2) COVERED COUNTRIES.—The foreign countries specified in this paragraph are the following:

(A) Brunei.
(B) Singapore.
(C) Taiwan.
(D) Other countries.
(5) NOTICE TO CONGRESS ON ASSISTANCE AND TRAINING.—In developing programs for assistance or training to be provided under subsection (a), the Secretary of Defense shall assume a priority to assistance, training, or both, that will enhance the maritime capabilities of the recipient foreign country, or a regional organization of which the recipient country is a member, to respond to emerging threats to maritime security.
(6) REQUIREMENTS FOR RECIPIENT FORCES.
(1) The recipient foreign country, or a regional organization of which the recipient country is a member, is responsible for management of the program, and the source of funds to support assistance and training outcomes to be achieved under the program beyond its contributions. The recipient foreign country shall provide such incremental expenses in connection with assistance and training.
(2) ASSISTANCE.—In developing programs for assistance or training to be provided under subsection (a), the Secretary of Defense shall assume a priority to assistance, training, or both, that will enhance the maritime capabilities of the recipient foreign country, or a regional organization of which the recipient country is a member, to respond to emerging threats to maritime security.
(7) INCREMENTAL EXPENSES OF PERSONNEL OF CERTAIN OTHER COUNTRIES FOR TRAINING.—
(1) AUTHORITY FOR PAYMENT.—If the Secretary of Defense determines that the payment of incremental expenses in connection with training described in subsection (a)(1)(B) will facilitate the participation in such training of organization personnel of foreign countries specified in paragraph (2), the Secretary may use amounts available under subsection (1) for assistance and training under subsection (a) for the payment of such incremental expenses.
(2) COVERED COUNTRIES.—The foreign countries specified in this paragraph are the following:

(A) Brunei.
(B) Singapore.
(C) Taiwan.
(D) Other countries.
(8) NOTICE TO CONGRESS ON ASSISTANCE AND TRAINING.—In developing programs for assistance or training to be provided under subsection (a), the Secretary of Defense shall assume a priority to assistance, training, or both, that will enhance the maritime capabilities of the recipient foreign country, or a regional organization of which the recipient country is a member, to respond to emerging threats to maritime security.
(9) REQUIREMENTS FOR RECIPIENT FORCES.
(1) The recipient foreign country, or a regional organization of which the recipient country is a member, is responsible for management of the program, and the source of funds to support assistance and training outcomes to be achieved under the program beyond its contributions. The recipient foreign country shall provide such incremental expenses in connection with assistance and training.
(2) ASSISTANCE.—In developing programs for assistance or training to be provided under subsection (a), the Secretary of Defense shall assume a priority to assistance, training, or both, that will enhance the maritime capabilities of the recipient foreign country, or a regional organization of which the recipient country is a member, to respond to emerging threats to maritime security.
“(B) the source of the information described in subparagraph (A), and an assessment of the veracity of the information; 
(C) the association of such force or element with any group or organization associated with the Government of Iran; and
(D) the amount and type of any assistance provided such force or element by the Government of Iran.”

**Effective Date.—**The amendment made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to reports required pursuant to section 1236(d) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 after that date.

**Section 1275. REPORT ON BILATERAL AGREEMENT WITH ISRAEL ON JOINT ACTIVITIES TO ESTABLISH AN ANTI-TUNNELING DEFENSE SYSTEM.**

(a) **Report Required.—**Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the appropriate committees of Congress a report on the feasibility and advisability of entering into a bilateral agreement with the Government of Israel to establish a bilateral agreement through which the governments of the two countries will carry out research, development, and test activities to establish an anti-tunneling defense system to detect, map, and neutralize underground tunnels into and directed at the territory of Israel.

(b) **APPROPRIATE COMMITTEE OF CONGRESS DEFINED.—**In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

**Section 1276. SENSE OF SENATE AND REPORT ON QATAR FIGHTER AIRCRAFT CAPABILITY CONTRIBUTION TO REGIONAL SECURITY.**

(a) **Sense of Senate.—**It is the sense of the Senate that—

(1) the United States should consider, in a timely manner, opportunities to enhance the strike capability of fighter aircraft of the Qatar air force that would contribute to Qatar’s self-defense and deter Iran’s regional ambitions, by acquiring and seamlessly providing the qualitative military edge of Israel; and

(2) Qatar should be afforded the opportunity through acquisition of appropriate technology and exercises with the United States Armed Forces and the armed forces of partner nations to develop improved self-defense and counter force aviation capabilities that modern fighter aircraft would provide.

(b) **Report Required.—**

(1) **In General.—**Not later than March 31, 2016, the Secretary of Defense, shall, in consultation with the Secretary of State, submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on the risks and benefits under consideration as they relate to capabilities described in subsection (a).

(2) **The report required by paragraph (1) shall include the following elements:—**

(A) A description of the key assumptions regarding threats to Qatar air force capabilities as a result of potential pending transfer of technologies and weapons systems.

(B) A description of the key assumptions regarding items described in subparagraph (A) as they impact considerations regarding preservation of Israel’s qualitative military edge.

(C) Estimated timelines for final adjudication of decisions to approve such transfers.

(D) Forms of information required by paragraph (1) may be submitted in classified or unclassified form.

**Subtitle G—Other Matters**

**SEC. 1281. NATIOAL SPECIAL OPERATIONS HEADQUARTERS.**


**SEC. 1282. TWO-YEAR EXTENSION AND MODIFICATION OF AUTHORIZATION FOR NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.**

(a) **Extension.—**Subsection (b) of section 943 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4579), as most recently amended by section 1261(a) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 114–93), is further amended by striking “2016” and inserting “2016.”

(b) **Source of Funds.—**Subsection (a) of such section 943, as amended by section 1265(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–41; 126 Stat. 998), is further amended by striking “for Operation and Maintenance, Defense-Wide” and inserting “for the Department of Defense for operation and maintenance”.

(c) **Oversight.—**Subsection (b) of such section 943 is amended—

(1) by striking “PROCEEDURES.—The Secretary” and inserting the following:

“(b) PROCEDURES AND OVERSIGHT.—”;

(2) by adding at the end the following new paragraph:

“(2) PROGRAMMATIC AND POLICY OVERSIGHT.—The Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict shall have primary programmatic and policy oversight of non-conventional assisted recovery activities authorized by this section.

**TITLE XIII—COOPERATIVE THREAT REDUCTION**

**SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.**

(a) **Fiscal Year 2016 Cooperative Threat Reduction Funds Defined.—**As used in this title, the term “fiscal year 2016 Cooperative Threat Reduction funds” means the funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4501 for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711).

(b) **Availability of Funds.—**Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in section 4501 for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2016, 2017, and 2018.

**SEC. 1302. FUNDING ALLOCATIONS.**

Of the $358,496,000 authorized to be appropriated to the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $1,289,000.

(2) For chemical weapons destruction, $492,000.

(3) For global nuclear security, $20,555,000.

(4) For cooperative biological engagement, $291,508,000.

(5) For proliferation prevention, $38,945,000.

(6) For threat reduction engagement, $2,827,000.

(7) For activities designated as Other Assessments/Administrative Costs, $29,320,000.

**TITLE XIV—OTHER AUTHORIZATIONS**

**Subtitle A—Military Programs**

**SEC. 1401. WORKING CAPITAL FUNDS.**

Funds are hereby authorized to be appropriated for fiscal year 2016 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

**SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.**

Funds are hereby authorized to be appropriated for fiscal year 2016 for the National Defense Sealift Fund, as specified in the funding table in section 4501.

**SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.**

(a) **Authorization of Appropriations.—**Funds are hereby authorized to be appropriated for Chemical Agents and MUNITIONS Destruction, Defense, as specified in the funding table in section 4501.

(b) **Use.—**Funds authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1221); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

**SEC. 1404. DRUG INTERDICTON AND COUNTERDRUG ACTIVITIES, DEFENSE-WIDE.**

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2016 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

**SEC. 1405. DEFENSE INSPECTOR GENERAL.**

Funds are hereby authorized to be appropriated for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

**SEC. 1406. DEFENSE HEALTH PROGRAM.**

Funds are hereby authorized to be appropriated for fiscal year 2016 for the Defense Health Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the health and welfare of eligible beneficiaries.

**Subtitle B—Other Matters**

**SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VIETNAM AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES H. JONES HEALTH CARE CENTER, ILLINOIS.**

(a) **Authority for Transfer of Funds.—**Of the funds authorized to be appropriated under Public Law 110–281, for the Defense Health Program for operation and maintenance, $120,400,000 may be transferred by the Secretary of Defense to the Joint Department of Defense-Vietnam Affairs Medical Facility Demonstration Fund for the Captain James H. Jones Health Care Center, Illinois.

(a) Authorization.—Funds are hereby authorized to be appropriated for fiscal year 2016 for the Army, the Navy, the Marine Corps, and the National Guard by the Secretary of the Army and the Secretary of the Navy, as the Secretary of the Army may determine necessary.

(b) Use of Funds.—Funds made available for the Army, the Navy, the Marine Corps, and the National Guard may be used for the purposes specified in paragraph (a) or for any other purpose as determined by the Secretary of the Army.

Title XV—Authorization of Appropriations for Armed Forces Retirement Home

SEC. 1411. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2016 from the Armed Forces Retirement Home Trust Fund the sum of $643,000,000 for the operation of the Armed Forces Retirement Home.

Title XVIII—Miscellaneous Appropriations

Subtitle A—Authorization of Appropriations

Sec. 1801. PURPOSE.

The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2016 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

Sec. 1802. OVERSEAS CONTINGENCY OPERATIONS

Funds are hereby authorized to be appropriated for fiscal year 2016 for the Department of Defense for overseas contingency operations as authorized by section 1001 of the National Defense Authorization Act for Fiscal Year 2016.

(3) another operation that, as determined by the Secretary of Defense in the title for fiscal year 2016, between any such authorizations for that fiscal year are not to be included in the amounts authorized to be appropriated for that fiscal year unless such personnel or contractors are supporting 

Subtitle C—Limitations, Reports, and Other Matters

Sec. 1831. AFGHANISTAN SECURITY FORCES FUND.

(a) Continuation of Prior Authorities and Notice and Reporting Requirements.—Funds available to the Department of Defense from the Afghan Security Forces Fund for fiscal year 2016 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–313; 124 Stat. 4424).

(b) Extension of Authority to Accept Certain Equipment.—Section 1532(b)(1) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended—

(3) another operation that, as determined by the Secretary of Defense in the title for fiscal year 2016, between any such authorizations for that fiscal year are to be included in the amounts authorized to be appropriated for that fiscal year unless such personnel or contractors are supporting

Subtitle B—Financial Matters

Sec. 1832. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this Act are in addition to amounts otherwise authorized to be appropriated by this Act.

Sec. 1832. SPECIAL TRANSFER AUTHORITY.

(a) Authority To Transfer Authorizations.—

(1) Authority.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2016 between any such authorizations for that fiscal year by any subdivisions thereof. Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) Limitation.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $1,000,000,000.

(b) Terms and Conditions.—Transfers under this section shall be subject to the terms and conditions as transfers under section 1001.

(c) Additional Authority.—The transfer authority provided by this section is in addition to any other transfer authority provided under section 1001.

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SEC. 1413. INSPECTIONS OF THE ARMED FORCES RETIREMENT HOME BY THE INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE.

(a) Inspections.—Subsection (b)(1) of section 1516 of the Armed Forces Retirement Home Act of 1961 (24 U.S.C. 418) is amended by striking “a comprehensive inspection of all aspects of each facility of the Retirement Home” and all that follows and inserting “an inspection of the Armed Forces Retirement Home.”

(b) Reports.—Subsection (c)(1) of such section is amended in the second sentence by striking “Not later than 90 days after completing the inspection of the facility, the Inspector General” and inserting “The Inspector General shall determine the scope of each such inspection using a risk-based analysis of the operations of the Retirement Home.”

Tips for obtaining a good summary of a document:

1. Identify the main points and structure of the text.
2. Focus on the key sentences and paragraphs.
3. Use concise language and avoid repetition.
4. Consider the context and purpose of the document.
5. Ensure the summary accurately reflects the original text.

Resources for improving your summary:

- Text summarization tools and software
- Online writing courses and resources
- Peer review and peer editing

By following these tips and utilizing the provided resources, you can enhance your ability to create effective and accurate summaries of complex documents.
SEC. 1533. AVAILABILITY OF JOINT IMPROVISED EXPLOSIVE DEVICE DEFECT FUND FUNDS FOR TRAINING OF FOREIGN SECURITY FORCES TO DEFEAT IM- PROVED IMPROVISED EXPLOSIVES.

(a) AVAILABILITY OF FUNDS.—Of the amounts authorized to be appropriated for fiscal year 2016 for the Joint Improvised Explosive Device Defeat Fund, up to $30,000,000 may be available to provide training to foreign security forces in defeating improvised explosive devices under authority provided in sections (b), (c), and (d) of this section, to the Senate and the House of Representatives by the Secretary of Defense on March 11, 2015, to make the Joint Improvised Explosive Device Defeat Organization a combat support agency, and to the Committees on Armed Services of the Senate and the House of Representatives by the Secretary of Defense on March 11, 2015, to make the Joint Improvised Explosive Device Defeat Organization a combat support agency, and the development of a policy to deter adversaries the use of space capabilities hostile to the national interests of the United States; and (b) FUNDING RESTRICTION.—If the President has not submitted the policy developed pursuant to subsection (a), the funds may be available to provide training to foreign security forces in defeating improvised explosive devices under authority provided in sections (b), (c), and (d) of this section, to the Senate and the House of Representatives by the Secretary of Defense on March 11, 2015, to make the Joint Improvised Explosive Device Defeat Organization a combat support agency, and to the Committees on Armed Services of the Senate and the House of Representatives by the Secretary of Defense on March 11, 2015, to make the Joint Improvised Explosive Device Defeat Organization a combat support agency, and the development of a policy to deter adversaries the use of space capabilities hostile to the national interests of the United States; and (c) GEOGRAPHIC LIMITATION.—Training may be provided using funds available under subsection (a) only— (1) to locations in which the Department of Defense is conducting a named operation; or (2) in geographic areas in which the Secretary of Defense has determined that a foreign security force is facing a significant threat from improvised explosive devices.

(d) COORDINATION WITH GEOGRAPHIC COMBATANT COMMANDS.—The Secretary shall— (1) in its plans for the Joint Improvised Explosive Device Defeat Fund, and (2) in the geographic regions in which the Secretary of Defense has determined that a foreign security force is facing a significant threat from improvised explosive devices.

(e) EXPIRATION.—The authority to use funds described in subsection (a) in accordance with this section shall expire on December 31, 2018.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

SEC. 1601. INTEGRATED POLICY TO DETER ADVERSARIES IN SPACE.

(a) IN GENERAL.—The President shall establish an interagency process to provide for the development of a policy to deter adversaries in space.

(b) Objectives.—(1) in subsection (a), by striking "sections (a), (b) and (c)"); and (2) by adding at the end the following new subsection:

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

(4) SPECIAL RULE FOR PHASE 1A COMPETITIVE OPPORTUNITIES.—

(1) IN GENERAL.—Not more than 9 competitive opportunities described in paragraph (2), the Secretary of Defense may award a contract—

(A) requiring the use of a rocket engine designed or manufactured in the Russian Federation that is eligible for a waiver under subsection (b) or an exception under subsection (c); or

(B) if a rocket engine described in subparagraph (A) is not available, requiring the use of a rocket engine designed or manufactured in the Russian Federation that is not eligible for such a waiver or exception.

(2) COMPETITIVE OPPORTUNITIES DESCRIBED.—A competitive opportunity described in this paragraph is—

(A) an opportunity to compete for a contract for the procurement of property or services for space launch activities under the evolved expendable launch vehicle program; and

(B) one of the 9 Phase 1A competitive opportunities for fiscal years 2015 through 2017.

§ 2279a. Principal Advisor on Space Control

(a) IN GENERAL.—Chapter 135 of title 10, United States Code is amended by adding at the end thereof the following new section:

(b) RESPONSIBILITIES.—The Principal Space Control Advisor shall be responsible for the following:

(1) Supervision of space control activities related to the development, procurement, and employment of space control capabilities; and (c) CROSS-FUNCTIONAL TEAM.—The Principal Space Control Advisor is responsible for the following:

(1) Oversight of policy, personnel, and acquisition and technology relating to space control activities.

(2) Cross-functional team—The Principal Space Control Advisor shall establish and maintain a full-time, cross-functional team of subject-matter experts from those entities.

(2) CROSS-FUNCTIONAL TEAM.—The table of sections at the beginning of this chapter is amended by inserting after the item relating to section 2799 the following new item:

(2) TERMINATION.—The exception under paragraph (1) shall terminate on September 30, 2019.

(d) SPACE LAUNCH CAPABILITIES DEFINED.—

In this section, the term "space launch capabilities" includes all work associated with space launch infrastructure maintenance and sustainment, program management, systems engineering, launch site depreciation, and maintenance commodities.

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SEC. 1605. ALLOCATION OF FUNDING FOR EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

(a) In GENERAL.—The amount requested in the budget of the President submitted to Congress under section 1108(a) of title 31, United States Code, for fiscal year 2015, 2016, or 2017 for the Air Force for the launch of Air Force satellites under the evolved expendable launch vehicle launch capability program shall bear the same ratio to the total amount of budget for that fiscal year for the launch of national security satellites under the evolved expendable launch vehicle launch capability program as the amount requested in that budget for that fiscal year for the procurement of cores for the Air Force for the launch of Air Force satellites under the evolved expendable launch vehicle launch services program bears to the total amount requested in that budget for that fiscal year for the procurement of cores for the Air Force for the launch of Air Force satellites under the evolved expendable launch vehicle launch services program.

(b) NATIONAL SECURITY SATELLITE DEFINED.—In this section, the term ‘national security satellite’ is a satellite launched for national security purposes, including such a satellite launched by the Air Force, the Navy, or the National Reconnaissance Office, or any other element of the Department of Defense.

SEC. 1606. INCLUSION OF PLAN FOR DEVELOPMENT AND FIELDING OF A FULL-UP ENGINE IN ROCKET PROPULSION SYSTEM DEVELOPMENT PROGRAM.

Section 1606(b) of the Carl Levin and Howard P. ‘Buck’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law No. 113-291; 128 Stat. 3622; 10 U.S.C. 2273 note) is amended—

(1) in paragraph (2), by striking ‘‘;’’ and inserting a semicolon;

(2) in paragraph (3), by striking the period at the end of such paragraph and inserting ‘‘;’’; and

(3) by adding at the end the following:

‘‘(4) a plan for the development and fielding of a full-up engine.’’

SEC. 1607. LIMITATIONS ON AVAILABILITY OF FUNDS FOR THE DEFENSE METEOROLOGICAL SATELLITE PROGRAM.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Department of Commerce, the National Oceanic and Atmospheric Administration, and the National Aeronautics and Space Administration shall be obligated or expended until the Secretary of Commerce, the Chairman of the Joint Chiefs of Staff jointly certify to the congressional defense committees that—

(1) relying on civil and international contributions and space-based environmental monitoring requirements is insufficient or is a risk to national security and launching DMSP20 will meet those requirements;

(2) launching DMSP20 is the most affordable solution to meeting requirements validated by the Joint Requirements Oversight Council;

(3) nonmaterial solutions within the Department of Defense, the National Oceanic and Atmospheric Administration, and the National Aeronautics and Space Administration are incapable of meeting the cloud characteristics and theater weather requirements validated by the Joint Requirements Oversight Council;

(b) COMPARATIVE COST AND CAPABILITY ASSESSMENT.—If the Secretary and the Chairman determine that a material solution is required to meet the cloud characterization and theater weather requirements validated by the Joint Requirements Oversight Council, the Secretary shall submit to the congressional defense committees a cost and capability assessment that compares the cost of meeting those requirements with an alternate material solution that includes electro-optical infrared weather imaging or other comparable solutions.

SEC. 1608. QUARTERLY REPORTS ON GLOBAL POSITIONING SYSTEM III SPACE SEGMENT, GLOBAL POSITIONING SYSTEM OPERATIONAL CONTROL SEGMENT, AND MILITARY GLOBAL POSITIONING SYSTEM USER EQUIPMENT.

(a) REPORTS REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of the Air Force shall submit to the Comptroller General of the United States a report on the Global Positioning System III space segment, the Global Positioning System operational control segment, and the Military Global Positioning System user equipment acquisition programs.

(b) ELEMENTS.—Each report required by subsection (a) shall include, with respect to an acquisition program specified in that subsection, the following:

(1) A statement of the status of the program with respect to cost, schedule, and performance.

(2) A description of any changes to the requirements of the program.

(3) A description of any technical risks impacting the cost, schedule, and performance of the program.

(4) An assessment of how such risks are to be addressed and the costs associated with such risks.

(5) An assessment of the extent to which the segments of the program are synchronized.

(c) BRIEFINGS BY COMPTROLLER GENERAL.—The Comptroller General shall provide to the congressional defense committees a briefing on a report submitted under subsection (a)—

(1) in the case of the first such report, not later than 30 days after receiving that report; and

(2) as the Comptroller General considers appropriate thereafter.

(d) TERMINATION.—The requirement under subsection (a) shall terminate with respect to an acquisition program specified in that subsection on the date on which that program reaches full operational capability.

SEC. 1609. PLAN FOR CONSOLIDATION OF ACQUISITION OF COMMERCIAL SATELLITE COMMUNICATIONS SERVICES.

(a) IN GENERAL.—Not later than January 31, 2016, the Department of Defense Executive Agent for Space shall submit to the congressional defense committees a plan for the consolidation, during the three-year period beginning on the date on which the plan is submitted, of the acquisition of commercial satellite communications services from across the Department of Defense into a program office located at the Missile Systems Center of the Air Force.

(b) REQUIREMENTS.—

(1) IN GENERAL.—The plan required by subsection (a) shall—

(A) an assessment of the management and overhead costs relating to the acquisition of commercial satellite communications services across the Department of Defense; and

(B) an estimate of—

(i) the costs of implementing the consolidation of the acquisition of such services described in subparagraph (A); and

(ii) the projected savings of the consolidation.

(2) VALIDATION BY DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION.—The assessment required by paragraph (1)(A) and the estimates required by paragraph (1)(B) shall be validated by the Director of Cost Assessment and Program Evaluation.

SEC. 1610. COUNCIL ON OVERSIGHT OF THE DEPARTMENT OF DEFENSE POSITIONING, NAVIGATION, AND TIMING ENTERPRISE.

(a) IN GENERAL.—Chapter 135 of title 10, United States Code, as amended by section 1602, is further amended by adding at the end the following new section:


‘‘(a) ESTABLISHMENT.—There is within the Department of Defense a council to be known as the ‘Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise’ (in this section referred to as the ‘Council’).

‘‘(b) MEMBERSHIP.—The members of the Council shall be as follows:

‘‘(1) The Under Secretary of Defense for Policy;

‘‘(2) The Under Secretary of Defense for Acquisition, Technology, and Logistics;

‘‘(3) the Vice Chairman of the Joint Chiefs of Staff;

‘‘(4) The Commander of the United States Strategic Command;

‘‘(5) The Commander of the United States Northern Command;

‘‘(6) The Commander of United States Cyber Command;

‘‘(7) The Director of the National Security Agency;

‘‘(8) The Chief Information Officer of the Department of Defense;

‘‘(9) Such other officials of the Department of Defense as the Secretary may designate.

‘‘(c) CO-CHAIR.—The Council shall be co-chaired by the Under Secretary of Defense for Acquisition, Technology, and Logistics and the Vice Chairman of the Joint Chiefs of Staff.

‘‘(d) RESPONSIBILITIES.—(1) The Council shall be responsible for oversight of the Department of Defense positioning, navigation, and timing enterprise, including providing, navigating, and timing services provided to civil, commercial, scientific, and international users.

‘‘(2) In carrying out the responsibility for oversight of the Department of Defense positioning, navigation, and timing enterprise as specified in paragraph (1), the Council shall be responsible for the following:

(i) A description and assessment of the activities of the Council during the previous fiscal year.

(ii) A description of the activities proposed to be undertaken by the Council during the period covered by the current future-years defense program under section 221 of this title.

(iii) Any changes to the requirements of the Department of Defense positioning, navigation, and timing enterprise during

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the previous year, along with an explanation for why the changes were made and a description of the effects of the changes to the capability of such enterprise.

(4) The Secretary of Defense, or the head of the Department of Defense, shall submit an assessment of each program element in such budget that relates to the Department of Defense positioning, navigation, and timing enterprise, including how such program element supports the Department of Defense capability of such enterprise.

(b) REPORT REQUIRED.—Not later than March 31, 2017, the Secretary shall submit to the congressionals defense committees a report on the analysis conducted under subsection (a).

SEC. 1612. EXPANSION OF GOALS FOR PILOT PROGRAM FOR ACQUISITION OF COMMERCIAL SATELLITE COMMUNICATION SERVICES.

Section 1609(b) of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 128 Stat. 3623; 10 U.S.C. 208 note) is amended—

(1) in paragraph (3), by striking "; and" and inserting a semicolon;

(2) in paragraph (4), by striking the period at the end and inserting "; and";

and

(b) R EPORT REQUIRED.—Not later than 30 days after the President submits to Congress the budget for a fiscal year under section 1105(a) of title 31, the Secretary of Defense Command shall submit to the Chairman of the Joint Chiefs of Staff an assessment of—

"(A) whether such budget allows the Federal Government to meet the required capabilities of the Department of Defense positioning, navigation, and timing enterprise during the fiscal year covered by the budget and for the four subsequent fiscal years; and

"(B) if the Commander determines that such budget does not allow the Federal Government to meet such required capabilities, a description of the steps being taken to meet such required capabilities.

"(2) Not later than 30 days after the date on which the Chairman of the Joint Chiefs of Staff receives the assessment of the Commander of the United States Strategic Command under paragraph (1), the Chairman shall submit to the congressional defense committees—

"(A) such assessment as it was submitted to the Chairman; and

"(B) any comments of the Chairman.

"(3) If a House of Congress adopts a bill authorizing or appropriating funds for the activities of the Department of Defense positioning, navigation, and timing enterprise that, in the judgment of the Commander of the United States Strategic Command, provides insufficient funds for such activities for the period covered by such bill, the Council shall notify the congressional defense committees of the determination.

"(g) NOTIFICATION OF ANOMALIES.—(1) The Secretary of Defense shall submit to the congressional defense committees written notification of an anomaly in the Department of Defense positioning, navigation, and timing enterprise that is reported to the Secretary or the Commander by the Department of Defense or the Commander, provides insufficient funds for such activities for the period covered by such bill, the Council shall notify the congressional defense committees of the determination.

"(h) TERMINATION.—The Council shall terminate on the date that is 10 years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.

SEC. 1611. STREAMLINE COMMERCIAL SPACE LAUNCH ACTIVITIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that eliminating duplicative requirements and approvals for commercial launch and reentry operations will promote and encourage the development of the commercial space industry.

(b) REAFFIRMATION OF POLICY.—Congress reaffirms that the Secretary of Transportation, in overseeing and coordinating commercial launch and reentry operations, should—

"(1) promote commercial space launches and reentries by the private sector;

"(2) facilitate Government, State, and private sector involvement in enhancing United States launch sites and facilities;

"(3) protect public health and safety, safety of proper, national interests, and foreign policy interests of the United States; and

"(4) consult with the head of another executive agency, including the Secretary of Defense or the Administrator of the National Aeronautics and Space Administration, as necessary to provide consistent application of licensing requirements under chapter 509 of title 51, United States Code.

(c) REQUIREMENTS.—

"(1) In general.—The Secretary of Transportation under section 50918 of title 51, United States Code, and subject to section 50905(b)(2)(C) of that title, shall consult with the Administrators of the National Aeronautics and Space Administration, and the heads of other executive agencies, as appropriate—

"(A) to identify requirements that are imposed to protect the public health and safety, safety of property, national security interests, and foreign policy interests of the United States or necessary to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle; and

"(B) to evaluate the requirements identified in subparagraph (A) to identify and coordinate, with the licensees or transferees and the head of the relevant executive agency—

"(i) determine whether the satisfaction of a requirement of one agency could result in the satisfaction of a requirement of another agency; and

"(ii) resolve any inconsistencies and remove any outdated or duplicative requirements or approvals of the Federal Government relevant to any commercial launch of a launch vehicle or commercial reentry of a reentry vehicle.

"(2) Reports.—Not later than 180 days after the date of enactment of this Act, and annually thereafter until the Secretary of Transportation, in coordination with the heads of other executive agencies, as appropriate, has determined that the commercial launch and reentry of a reentry vehicle, including the identification of—

"(i) any unique requirements for operating on a United States Government launch site, reentry site, or launch property; and

"(ii) any inconsistent, outdated, or duplicative requirements or approvals.

 SEC. 1622. DESIGNATION OF DEPARTMENT OF DEFENSE ENTITY RESPONSIBLE FOR ACQUISITION OF CRITICAL CYBER CAPABILITIES.

(a) DESIGNATION.—

"(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, for each critical cyber capability described in paragraph (2), designate an entity of the Department of Transportation, in consultation with the Secretary of Defense, the Administrator of the National Aeronautics and Space Administration, the commercial space sector, and the heads of other executive agencies, as appropriate, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the congressional defense committees a report that includes the following:

"(A) A description of the process for the application for and approval of a permit or license under chapter 509 of title 51, United States Code, for the commercial launch or commercial reentry of a launch vehicle or commercial reentry of a reentry vehicle, including the identification of—

"(i) any unique requirements for operating on a United States Government launch site, reentry site, or launch property; and

"(ii) any inconsistent, outdated, or duplicative requirements or approvals.

(b) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new section:

"130g. Authorities concerning military cyber operations.

"The Secretary of Defense shall develop, prepare, coordinate, and, when authorized by the President to do so, conduct a military cyber operation in response to malicious cyber activity carried out against the United States or a United States person by a foreign power (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801))."

(c) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new section:

"130g. Authorities concerning military cyber operations.

"The Secretary of Defense shall develop, prepare, coordinate, and, when authorized by the President to do so, conduct a military cyber operation in response to malicious cyber activity carried out against the United States or a United States person by a foreign power (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801))."

Subtitle B—Cyber Warfare, Cyber Security, and Related Matters

SEC. 1621. AUTHORIZATION OF MILITARY CYBER OPERATIONS

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new section:

"130g. Authorities concerning military cyber operations.

"The Secretary of Defense shall develop, prepare, coordinate, and, when authorized by the President to do so, conduct a military cyber operation in response to malicious cyber activity carried out against the United States or a United States person by a foreign power (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801))."
Defense to be responsible for the acquisition of the critical cyber capability.

(2) CRITICAL CYBER CAPABILITIES DESCRIBED.—The critical cyber capabilities described in this paragraph are all of the cyber capabilities that the Secretary considers critical to the mission of the Department of Defense, including the following:

(A) The U.S. Cyber Command
(B) A persistent cyber training environment
(C) A cyber situational awareness and battle management system.

(b) REPORT.—(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the designations made under subsection (a).

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

(A) Identification of each designation made under subsection (a).
(B) A plan for evaluation:

(b) PLAN FOR EVALUATION.—(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the designations for which designations are made under subsection (a).

(2) CRITICAL CYBER CAPABILITIES DEFINED.—In this section, the term ‘‘critical cyber capabilities’’ means—

(A) any cyber capability for which designations are made under subsection (a)(1);

(B) any critical infrastructure for which designations are made under subsection (a)(2);

(C) any additional capabilities that the Secretary considers critical to the mission of the Department of Defense.

(c) FINDINGS.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the findings of the Secretary concerning the critical cyber capability.

(2) CRYPTOGRAPHY AND CRYPTOGRAPHY SYSTEMS.—The Secretary shall submit to the congressional defense committees a report on the critical cyber capability for which a designation was made under subsection (a)(1), including—

(A) the findings of the Principal Cyber Advisor with respect to the assessment conducted by the Independent Panel sponsored under subsection (a)(1); and

(B) the Chairman of the Joint Chiefs of Staff shall convey to the congressional defense committees the findings of the Chairperson with respect to the war games conducted under subsection (b)(1).

(d) FOREIGN POWER DEFINED.—In this section, the term ‘‘foreign power’’ has themeaning given in the term ‘‘foreign power’’ in title II of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

SEC. 1627. BIENNIAL EXERCISES ON RESPONDING TO CYBER ATTACKS AGAINST CRITICAL INFRASTRUCTURE.

(a) BIENNIAL EXERCISES REQUIRED.—Not less frequently than every two years after the date of the enactment of this Act, the Secretary of Homeland Security, with the assistance of the Director of National Intelligence, the Director of the Cyber Center of Excellence at Fort Gordon, Georgia, and the Chief Information Security Officer of the United States Computer Emergency Readiness Team, shall sponsor an independent panel to assess the ability of the National Mission Forces of the United States to defend the United States against large-scale attacks by foreign powers with cybersecurity capabilities.

(b) PURPOSES.—The purposes of the exercises required by subsection (a) are as follows:

(1) To improve cooperation and coordination between various parts of the Government and industry so that the Government and industry can more effectively and efficiently respond to cyber attacks.

(2) To exercise command and control, coordination, communications, and information sharing capabilities under the stress conditions of an ongoing cyber attack.

(3) To identify gaps and problems that require new enhanced training, capabilities, procedures, or authorities.

(c) REQUIREMENT FOR VARIATION OF ASSET VULNERABILITIES AND CONDITIONS.—In conducting the exercises required by subsection (a), the Secretary shall ensure that there is an appropriate degree of variation from exercise to exercise of the following:

(1) The size, scope, duration, and sophistication of the cyber attacks.

(2) The degree of warning and knowledge that is available to the Department of Defense about the attack and the means used in the attack and the degree of delegation of authority from the President to react, including with pre-planned responses.

(3) The effectiveness of the National Mission Force of the United States Cyber Command in preempting and defeating the attack.

(4) The effectiveness of the attacks on critical infrastructure in general and particularly in specific industry sectors.

(5) The effectiveness of resilience and recovery mechanisms.

(d) COST SHARING AGREEMENTS.—The Secretary shall coordinate with those with whom the Secretary is required to coordinate under subsection (a) to develop equitable cost sharing agreements to defray the expenses of the exercises required by subsection (a).

SEC. 1628. ASSESSING VULNERABILITIES OF UNITED STATES CYBER COMMAND TO DEFEND THE UNITED STATES FROM CYBER ATTACKS.

(a) ASSESSMENT.—(1) IN GENERAL.—The Secretary of Homeland Security, with the assistance of the Director of National Intelligence, the Director of the Cyber Center of Excellence at Fort Gordon, Georgia, and the Chief Information Security Officer of the United States Computer Emergency Readiness Team, shall sponsor an independent panel to assess the ability of the National Mission Forces of the United States to defend the United States against large-scale attacks by foreign powers with cybersecurity capabilities.

(2) PLAN FOR ASSESSMENT.—(A) The Secretary shall submit to the congressional defense committees a report on the findings of the Independent Panel sponsored under subsection (a)(1); and

(B) The Independent Panel shall submit to the Secretary a report on the findings of the Independent Panel sponsored under subsection (a)(1).

(c) REQUIREMENT FOR VARIATION OF ASSET VULNERABILITIES AND CONDITIONS.—In conducting the exercises required by subsection (a), the Secretary shall ensure that there is an appropriate degree of variation from exercise to exercise of the following:

(1) The size, scope, duration, and sophistication of the cyber attacks.

(2) The degree of warning and knowledge that is available to the Department of Defense about the attack and the means used in the attack and the degree of delegation of authority from the President to react, including with pre-planned responses.

(3) The effectiveness of the National Mission Force of the United States Cyber Command in preempting and defeating the attack.

(4) The effectiveness of the attacks on critical infrastructure in general and particularly in specific industry sectors.

(5) The effectiveness of resilience and recovery mechanisms.

SEC. 1629. BIENNIAL EXERCISES ON RESPONSING TO CYBER ATTACKS AGAINST CRITICAL INFRASTRUCTURE.

(a) BIENNIAL EXERCISES REQUIRED.—Not less frequently than every two years after the date of the enactment of this Act, the Secretary of Homeland Security, with the assistance of the Director of National Intelligence, the Director of the Cyber Center of Excellence at Fort Gordon, Georgia, and the Chief Information Security Officer of the United States Computer Emergency Readiness Team, shall sponsor an independent panel to assess the ability of the National Mission Forces of the United States to defend the United States against large-scale attacks by foreign powers with cybersecurity capabilities.

(b) PURPOSES.—The purposes of the exercises required by subsection (a) are as follows:

(1) To improve cooperation and coordination between various parts of the Government and industry so that the Government and industry can more effectively and efficiently respond to cyber attacks.

(2) To exercise command and control, coordination, communications, and information sharing capabilities under the stress conditions of an ongoing cyber attack.

(3) To identify gaps and problems that require new enhanced training, capabilities, procedures, or authorities.

(c) REQUIREMENT FOR VARIATION OF ASSET VULNERABILITIES AND CONDITIONS.—In conducting the exercises required by subsection (a), the Secretary shall ensure that there is an appropriate degree of variation from exercise to exercise of the following:

(1) The size, scope, duration, and sophistication of the cyber attacks.

(2) The degree of warning and knowledge that is available to the Department of Defense about the attack and the means used in the attack and the degree of delegation of authority from the President to react, including with pre-planned responses.

(3) The effectiveness of the National Mission Force of the United States Cyber Command in preempting and defeating the attack.

(4) The effectiveness of the attacks on critical infrastructure in general and particularly in specific industry sectors.

(5) The effectiveness of resilience and recovery mechanisms.

SEC. 1627. BIENNIAL EXERCISES ON RESPONSING TO CYBER ATTACKS AGAINST CRITICAL INFRASTRUCTURE.
SEC. 1631. DESIGNATION OF AIR FORCE OFFICIALS TO BE RESPONSIBLE FOR POLICY ON AND PROCUREMENT OF NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS SYSTEMS.

(a) DESIGNATION OF OFFICIALS.—

(1) In subsection 24 of title 10, United States Code, is amended by adding at the end the following new section:

"(499. Designation of Air Force officials to be responsible for policy on and procurement of nuclear command, control, and communications systems

"(a) PROCUREMENT.—The Secretary of the Air Force shall designate a senior acquisition official of the Air Force to be responsible for ensuring the procurement and integration of the nuclear command, control, and communication systems of the Air Force.

(b) POLICY.—The Secretary shall designate an official of the Air Force to be responsible for—

(1) formulating an integrated policy for the nuclear command, control, and communications systems of the Air Force that includes long-term requirements to satisfy the requirements of the Department of Defense for nuclear command, control, and communications; and

(2) ensuring that such policy is integrated across systems using nuclear command, control, and communications systems.

"(b) REQUIREMENTS.—

(1) IN GENERAL.—The Comptroller General of the United States, in coordination with the Com- mander of the United States Strategic Command, conduct an assessment of the global environment with respect to nuclear weapons and the role of United States nuclear forces, policy, and strategy in that environment.

(2) OBJECTIVES.—The objectives of the assessment required by subsection (b) are to—

(A) assess the impacts of nuclear weapons and arms control on the United States; and

(B) develop a strategy for extending the deterrent value of United States nuclear weapons.

(c) REQUIREMENTS.—

(1) IN GENERAL.—In conducting the assessment required by subsection (b), the Air Force shall—

(A) develop a strategy for extending the deterrent value of United States nuclear weapons; and

(B) provide to the congressional defense committees a report on the assessment required by such subsection.

(d) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than May 31, 2016, the Secretary of Defense shall make a Milestone A decision on the long-range standoff weapon.

SEC. 1635. AVAILABILITY OF AIR FORCE PROCUREMENT FUNDS FOR CERTAIN COMMERCIAL OFF-THE-SHELF PLAYS FOR INTERCONTINENTAL BALLISTIC MISSILE FUZES.

(a) AVAILABILITY OF PROCUREMENT FUNDS.—

(1) The Secretary of Defense shall make a Milestone A decision on the long-range standoff weapon.

(2) After the date of enactment of this Act, the Secretary of Defense shall—

(A) develop a plan for expediting the deployment of the long-range standoff weapon;

(B) ensure that such plan includes a strategy for achieving operational capability as soon as possible; and

(C) ensure that the plan includes a strategy for achieving operational capability as soon as possible.

(b) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) to operate, sustain, and modernize or replace the triad of strategic nuclear delivery systems plays a critical role in ensuring the national security of the United States and maintaining strategic stability at a reasonable cost; and

(2) to develop a plan for expediting the deployment of the long-range standoff weapon.

(c) REQUIREMENTS.—In conducting the assessment required by subsection (b), the Director shall—

(1) develop a plan for expediting the deployment of the long-range standoff weapon; and

(2) ensure that such plan includes a strategy for achieving operational capability as soon as possible.

(d) REPORT REQUIRED.—Not later than May 31, 2016, the Secretary of Defense shall submit to the congressional defense committees a report on the assessment required by such subsection.

(e) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) to operate, sustain, and modernize or replace the triad of strategic nuclear delivery systems plays a critical role in ensuring the national security of the United States and maintaining strategic stability at a reasonable cost; and

(2) to develop a plan for expediting the deployment of the long-range standoff weapon.

(f) REPORT REQUIRED.—Not later than May 31, 2016, the Secretary of Defense shall submit to the congressional defense committees a report on the assessment required by such subsection.

(g) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) to operate, sustain, and modernize or replace the triad of strategic nuclear delivery systems plays a critical role in ensuring the national security of the United States and maintaining strategic stability at a reasonable cost; and

(2) to develop a plan for expediting the deployment of the long-range standoff weapon.

(h) REPORT REQUIRED.—Not later than May 31, 2016, the Secretary of Defense shall submit to the congressional defense committees a report on the assessment required by such subsection.

(i) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) to operate, sustain, and modernize or replace the triad of strategic nuclear delivery systems plays a critical role in ensuring the national security of the United States and maintaining strategic stability at a reasonable cost; and

(2) to develop a plan for expediting the deployment of the long-range standoff weapon.

SEC. 1634. DEADLINE FOR MILESTONE A DECISION ON LONG-RANGE STANDOFF WEAPON.

Not later than 30 days after the date of enactment of this Act, the Secretary of Defense shall make a Milestone A decision on the long-range standoff weapon.
least two years, in the case that the President decides to proceed with such deployment; and
(2) submit to the congressional defense committees a report on such plan.
(b) REPORT ELEMENTS.—The report submitted under subsection (a)(2) shall include the following:
(1) An assessment of the plan, including estimates of the cost of carrying out the plan and a schedule for carrying out the plan. (2) A description of such legislative or administrative actions as may be necessary to carry out the plan.

(3) An assessment of the risks associated with decreasing the deployment time, including any costs and the operational effectiveness and reliability of interceptors.

(4) Identification of any deviation in the plan from robust acquisition processes, including with respect to testing prior to full operational capability designation.

(c) ASSESSMENT BY COMPTROLLER GENERAL OF THE UNITED STATES.—
(1) IN GENERAL.—Not later than 90 days after the date on which the Secretary submits a report under subsection (a)(2), the Comptroller General shall:
(A) complete a review of the report submitted under subsection (a)(2); and
(B) submit to the congressional defense committees a report on the review conducted pursuant to subparagraph (A).

(2) REPORT ELEMENTS.—The report required by paragraph (1)(B) shall include the following:
(A) The findings of the Comptroller General with respect to the review conducted pursuant to paragraph (1)(A); and
(B) The recommendations of the Comptroller General may have for legislative or administrative action.

SEC. 1642. ADDITIONAL MISSILE DEFENSE SITES.
(a) FINDINGS.—Congress makes the following findings:
(1) According to the Director of the Missile Defense Agency, there are two fundamental means for improving homeland missile defense capability and capacity, “one, is the reliability of the interceptor, and two, is the discrimination capability of the system”.
(2) The Department of Defense will deploy a new long-range discrimination radar and an additional tracking and discrimination sensor capability to provide persistent coverage and improve discrimination capabilities against threats to the United States homeland from the Pacific region.

(3) According to the Director of the Missile Defense Agency, a long-range discrimination radar will provide larger hit assessment coverage thereby enabling improved warfighting capabilities to manage ground-based interceptor (GBI) inventory and improve the capability of the ballistic missile defense system.

(4) According to the Principal Deputy Under Secretary of Defense for Policy, “while Iran has not yet deployed an intercontinental ballistic missile, its progress on space launch vehicles—along with its desire to deter the United States and its allies—provides Tehran with the means and motivation to develop longer-range missiles, including an ICBM. Iran publicly stated that it intends to launch a space-launch vehicle as early as this year capable of intercontinental range and delivering a warhead to such a target.”

(b) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) the currently deployed ground-based midcourse defense system protects the entire United States homeland, including the East Coast, against the threat of limited ballistic

SEC. 1644. AVAILABILITY OF FUNDS FOR IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.
(a) AVAILABILITY OF FUNDS.—Of the amount authorized to be appropriated for fiscal year 2016 for Procurement, Defense-wide, and available for the Missile Defense Agency, not more than $11,400,000 may be provided to the Government of Israel for the program that is designed to build an Iron Dome short-range rocket defense system, including for co-production of Iron Dome parts and components in the United States by industry of the United States.

(b) CONDITIONS.
(1) AGREEMENT.—Funds described in subsection (a) to produce the Iron Dome short-range rocket defense program shall be available subject to the terms and conditions in the “Agreement Between the Department of Defense of the United States of America and the Government of Israel Concerning Iron Dome Defense System Procurement”, signed on March 5, 2014, including any terms and conditions applicable to coproduction of Iron Dome rocket components under a negotiated amendment to that agreement.

(2) CERTIFICATION.—Not later than 30 days prior to the initial obligation of funds described in paragraph (1), the Director of the Missile Defense Agency and the Under Secretary of Defense for Acquisition, Technology and Logistics shall jointly submit to the congressional defense committees a certification detailing any risks relating to the implementation of such agreement.

SEC. 1645. ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CODEVELOPMENT AND POTENTIAL COPRODUCTION.
(a) IN GENERAL.—Except as provided in this section, the amount authorized to be appropriated for fiscal year 2016 for Procurement, Defense-wide, and available for the Missile Defense Agency, not more than $15,000,000 may be provided to the Government of Israel to procure the David’s Sling Weapon System and $15,000,000 for the Arrow 3 Upper Tier Interceptor Program, including for coproduction of parts and components in the United States by United States industry.

(b) CERTIFICATION.—Following successful completion of milestones and readiness reviews in the research, development, and technology agreements for the David’s Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program, the Director of the Missile Defense Agency may disburse amounts available pursuant to subsection (a) on the basis of a one-for-one cash match with such funds provided by the Government of Israel, or in amounts that otherwise meet best efforts (as mutually agreed by the United States and Israel), on or after the date that is 90 days after the date the Director and the Under Secretary of Defense for Acquisition, Technology and Logistics jointly submit to the congressional defense committees a certification that the United States has entered into a bilateral agreement with the Government of Israel that accomplishes the following:

(1) Establishes the terms of co-production of parts and components of the respective systems—
(A) on the basis of what will minimize non-recurrent engineering and facilitization expenses; and
(B) that ensures that, in the case of co-production for the David’s Sling Weapon System, a portion of the cost and production is carried out by United States persons.

(2) Establishes complete transparency on the Israeli requirement for the number of interceptors and batteries of the respective systems that will be procured.

(3) Allows the Director of the Missile Defense Agency and the Under Secretary of Defense for Acquisition, Technology and Logistics to establish technical milestones for co-production and procurement of the respective systems.

(4) Establishes joint approval processes for third party sales of such systems.

SEC. 1646. DEVELOPMENT AND DEPLOYMENT OF MULTIPLE-OBJECT KILL VEHICLE FOR MISSILE DEFENSE OF THE UNITED STATES HOMELAND.
(a) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) the defense of the United States homeland against the threat of limited ballistic missile attack (whether accidental, unauthorized, or deliberate) is a national priority; and
(2) as the threat described in paragraph (1) continues to evolve, the multiple-object kill vehicle could contribute to our nation’s capabilities to deter or defend against the future of the ballistic missile defense of the United States homeland.

(b) MULTIPLE-OBJECT KILL VEHICLE.
(1) DEVELOPMENT.—The Director of the Missile Defense Agency shall develop a high-likely, cost-effective multiple-object kill vehicle for the ground-based midcourse defense system.

(2) DEPLOYMENT.—The Director shall—
(A) conduct flight testing of the multiple-object kill vehicle developed under paragraph (1) by not later than 2020; and
(B) field such vehicle as soon as technically practicable.

(c) RESPONSIBILITIES AND CRITERIA.—The Director shall ensure that the multiple-object kill vehicle developed under subsection (b)(1)
meets, at a minimum, the following capabilities and criteria:  
(a) Vehicle-to-vehicle communications.  
(b) Vehicle-to-ground communications.  
(c) Vehicle-to-cruiser communications.  
(d) The ability to counter advanced countermeasures, decoys, and penetration aids.  
(e) Producibility and manufacturability.  
(f) All tests involving high-technology readiness levels.  
(g) Options to be integrated onto other missile defense interceptor vehicles other than the interceptor vehicles that ground-based midcourse defense system.  
(h) Sound acquisition processes, in coordination with the Secretary of Defense for Acquisition, Technology, and Logistics and the Missile Defense Executive Board.  
(i) Program Management. —The management of the multiple-object kill vehicle program under subsection (b) shall report directly to the Deputy Director of the Missile Defense Agency.

SEC. 1647. REQUIREMENT TO REPLACE CAPABILITY ENHANCEMENT I EXOATMOSPHERIC KILL VEHICLES.  
(a) IN GENERAL. —Subject to section (b), the Director of the Missile Defense Agency shall ensure, to the maximum extent practicable, that all remaining ground-based interceptors that ground-based midcourse defense system are armed with the capability enhancement I exoatmospheric kill vehicle with the year-2024 exoatmospheric kill vehicle before September 30, 2022.  
(b) CONDITION.—Section (a) shall apply to the extent that flight and intercept testing of the redesigned exoatmospheric kill vehicle is not successful.

SEC. 1648. AIRBORNE BOOST PHASE DEFENSE SYSTEM.  
(a) FINDINGS.—Congress makes the following findings:  
(1) The increasing threat posed by increasingly accurate and longer-ranged ballistic and cruise missiles, the Missile Defense Agency, in collaboration with the Defense Advanced Research Projects Agency and the military services, is pursuing a suite of technology that could serve as a cost-effective solution for destroying cruise missiles and ballistic missiles in the boost phase.  
(2) A successful airborne boost phase defense system could transform United States missile defense capabilities against a broad range of ballistic and cruise missile systems, particularly in the boost phase.  
(3) Continue development and fielding of high-early warning and high-power microwave systems as part of a layered architecture to defend ships and theater bases against air and cruise missile strikes.  
(4) Cooperation amongst the military services and the Defense Advanced Research Projects Agency with respect to their high energy laser and directed energy efforts could be even more effective in support of the Missile Defense Agency; and  
(c) REPORT TO CONGRESS.—  
(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Senate and the House of Representatives a report on the efforts of the Department of Defense to develop and deploy an airborne boost phase defense system for missile defense by fiscal year 2025.  
(2) ELEMENTS.—The report required by paragraph (1) shall include the following:  
(A) Each schedule, cost, and performance requirement necessary to develop a high confidence capability for detecting, tracking, and intercepting exoatmospheric vehicles.  
(B) Such recommendations as the Secretary may make to enhance the defense against the boost phase defense system of the Russian Federation.  
(C) A review of the efforts of the United States to develop a high confidence capability for destroying cruise missiles.  
(D) Such recommendations as the Secretary may make to enhance the defense against the boost phase defense system of the Russian Federation.  

SEC. 1649. EXTENSION OF LIMITATION ON PRODUCTION OF GROUND-BASED MIDCOURSE DEFENSE SYSTEM.  
Section 1246(c)(2) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–186; 106 Stat. 2347), as amended by section 1246(d) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 116–63; 122 Stat. 3564), is further amended—  
(A) by striking the limitation on production of the ground-based midcourse defense system of the Russian Federation described in paragraph (1) will be eliminated.  
(B) by striking the limitation on production of the ground-based midcourse defense system of the Russian Federation described in paragraph (1) will be eliminated.  
(C) by striking the limitation on production of the ground-based midcourse defense system of the Russian Federation described in paragraph (1) will be eliminated.

SEC. 1650. EXTENSION OF REQUIREMENT FOR AN INDEPENDENT CREDIBLE REVIEW OF THE STATUS OF INTERMEDIATE-RANGE BALLISTIC MISSILE DEFENSE EMPLOYMENT.  
(A) The Secretary of Defense shall submit to the Senate and the House of Representatives a report on the status of intermediate-range ballistic missile defense employment by fiscal year 2025 that describes—  
(1) the developmental status of the missile defense system employment; and  
(2) the operational status of the missile defense system employment;

SEC. 1651. MEASURES TO PREVENT VIOLATIONS OF THE INTERMEDIATE-RANGE NUCLEAR FORCES TREATY.  
(a) FINDINGS.—Congress makes the following findings:  
(1) On July 31, 2014, the Department of State presented a report to the Senate and the House of Representatives that describes—  
(A) Adherence to and Compliance With Arms Control, Nonproliferation, and Disarmament Agreements and Commitments”, which included the finding that “[t]he United States has determined that the Russian Federation is in violation of its obligations under the Treaty, not to possess, produce, or flight-test a ground-launched cruise missile with a range capability of 500 km to 5,500 km, or to possess or produce launchers or missiles that have such capability; and  
(2) The United States has undertaken diplomatic efforts to address with the Russian Federation its violations of the INF Treaty since 2013, and the Russian Federation has failed to respond to those efforts in any way.  
(3) The Commander of the United States European Command, and Supreme Allied Commander Europe, General Breedlove stated that “[a] weapon capability that violates the INF...is introduced into the greater European land mass, is absolutely a tool that will have to be dealt with” and “[it] can’t go unanswered.”  
(4) The Secretary of Defense has informed Congress that “the range of options in response to the violation by the Russian Federation of the INF Treaty could include “active defenses to counter intermediate-range ground-launched cruise missiles”.  
(5) Other alternative measures to prevent intermediate-range ground-launched cruise missile attacks; and countervailing strike capabilities to enhance U.S. or allies’ security.  
(b) SENSE OF CONGRESS.—It is the sense of Congress that—  
(1) the development and deployment of a non-nuclear ground-launched cruise missile by the Russian Federation in violation of the INF Treaty would pose a dangerous threat to the United States and its allies;  
(2) the Russian Federation’s actions established an increasing role for nuclear weapons in its military strategy;  
(3) efforts taken by the President of the United States to comply with the INF Treaty are consistent and are in the best interests of the United States, but cannot be open-ended, and  
(4) efforts by the United States to develop military and nonmilitary options for responding to violations of the INF Treaty could encourage the Russian Federation to return to compliance with the INF Treaty.  
(c) NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall notify the appropriate congressional committees of his determination that the Russian Federation has established an initial operating capability that is either a non-nuclear ground-launched cruise missile or an intermediate-range ground-launched cruise missile with a flight-tested range of between 500 and 5,500 kilometers; or  
(2) has begun taking steps to return to full compliance with the INF Treaty, including verification measures necessary to achieve high confidence that any missile described in paragraph (1) will be eliminated.

Subtitle E—Other Matters

SEC. 1652. MEASURES IN RESPONSE TO VIOLATIONS OF THE INF TREATY.  
(a) FINDINGS.—Congress makes the following findings:  
(1) The Commander of the United States European Command, and Supreme Allied Commander Europe, General Breedlove stated that “[a] weapon capability that violates the INF Treaty...is introduced into the greater European land mass, is absolutely a tool that will have to be dealt with” and “[it] can’t go unanswered.”  
(2) The Secretary of Defense has informed Congress that “the range of options in response to the violation by the Russian Federation of the INF Treaty could include “active defenses to counter intermediate-range ground-launched cruise missiles”.  
(3) Other alternative measures to prevent intermediate-range ground-launched cruise missile attacks; and countervailing strike capabilities to enhance U.S. or allies’ security.  
(b) SENSE OF CONGRESS.—It is the sense of Congress that—  
(1) the development and deployment of a non-nuclear ground-launched cruise missile by the Russian Federation in violation of the INF Treaty would pose a dangerous threat to the United States and its allies;  
(2) the Russian Federation’s actions established an increasing role for nuclear weapons in its military strategy;  
(3) efforts taken by the President of the United States to comply with the INF Treaty are consistent and are in the best interests of the United States, but cannot be open-ended, and  
(4) efforts by the United States to develop military and nonmilitary options for responding to violations of the INF Treaty could encourage the Russian Federation to return to compliance with the INF Treaty.  
(c) NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall notify the appropriate congressional committees of his determination that the Russian Federation has established an initial operating capability that is either a non-nuclear ground-launched cruise missile or an intermediate-range ground-launched cruise missile with a flight-tested range of between 500 and 5,500 kilometers; or  
(2) has begun taking steps to return to full compliance with the INF Treaty, including verification measures necessary to achieve high confidence that any missile described in paragraph (1) will be eliminated.  

(2) efforts to develop, with the North Atlantic Treaty Organization and such allies, collective responses, including economic and military responses, to arms control violations by the Russian Federation, including violations of the INF Treaty.

(e) PLAN ON RESPONSE OPTIONS.—

(1) RESPONSE OPTIONS.—

(A) IN GENERAL.—If, as of the date of the enactment of this Act, the Russian Federation has not begun taking measures to return to full compliance with the INF Treaty, including by agreeing to verification measures necessary to achieve high confidence that any ground-launched ballistic missile or ground-launched cruise missile with a flight-tested range of between 500 and 5,500 kilometers will be eliminated, the Secretary of Defense shall, not later than 120 days after such date, submit to Congress a plan with respect to developing the following military capabilities:

(i) Counterforce capabilities to prevent intermediate-range ground-launched ballistic missile and cruise missile attacks, whether or not such capabilities are in compliance with the INF Treaty and including capabilities that may be acquired from allies of the United States.

(ii) Countervailing strike capabilities to enhance the military capabilities of the United States, whether or not such capabilities are in compliance with the INF Treaty and including capabilities that may be acquired from allies of the United States.

(iii) Active defenses to defend against intermediate-range ground-launched cruise missile attacks.

(B) COST AND SCHEDULE ESTIMATES.—The Secretary shall include in the plan required by subparagraph (A), with respect to each military capability described in clauses (i), (ii), and (iii) of that subparagraph, an estimate of cost and the approximate time for achieving a Milestone A decision, if such a decision is required.

(C) AVAILABILITY OF FUNDS FOR RECOMMENDED CAPABILITIES.—The Secretary may use funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and evaluation, Defense-wide, as specified in the funding table in section 2401, to carry out the development of capabilities pursuant to subparagraph (A) that are recommended by the Chairman of the Joint Chiefs of Staff to meet military requirements.

(2) OTHER RESPONSE OPTIONS.—The President considers useful to encourage the Russian Federation to return to full compliance with the INF Treaty or necessary to respond to the failure of the Russian Federation to return to full compliance with the INF Treaty.

(f) DEFINITIONS.—In this section:

(1) APPLICABLE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

(A) the congressional defense committees;

(B) the committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(C) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.


SEC. 1662. MODIFICATION OF NOTIFICATION AND ASSESSMENT OF PROPOSAL TO MODIFY OR INTRODUCE NEW AIRCRAFT OR SYSTEM FOR FLIGHT BY THE RUSSIAN FEDERATION UNDER THE OPEN SKIES TREATY

(a) IN GENERAL.—Section 1242(b) of the Carl Levin and Howard P. ‘‘Buck’’ McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended—

(1) in paragraph (1), by striking ‘‘30 days’’ and inserting ‘‘90 days’’; and

(2) in paragraph (2), by adding at the end the following new sentence: ‘‘The assessment shall also include an assessment of the potential effect of the proposal, any potential vulnerabilities raised by the proposal, and any potential vulnerabilities raised by the proposal.‘’

(b) REPORTS ON MEETINGS OF OPEN SKIES CONSULTATIVE COMMISSION.—

(1) IN GENERAL.—Not later than 30 days after the date of any meeting of the Open Skies Consultative Commission that occurs after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report describing the results of such meetings, including a description of any agreements entered into during such meeting and whether any such agreement will result in a modification to the aircraft or sensors of any State Party to the Open Skies Treaty that will be subject to the Open Skies Treaty.

(2) DEFINITIONS.—In this subsection, the term ‘appropriate committees of Congress’ and ‘Open Skies Treaty’ have the meaning given such terms in section 1242 of the Carl Levin and Howard P. ‘‘Buck’’ McKeon National Defense Authorization Act for Fiscal Year 2015.
the Secretary of the Army may acquire real property and carry out the military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

### Army: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cuba</td>
<td>Guantanamo Bay</td>
<td>$76,000,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Grafenwoehr</td>
<td>$51,000,000</td>
</tr>
</tbody>
</table>

**SEC. 2102. FAMILY HOUSING.**

(a) **Construction and Acquisition.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

#### Army: Family Housing

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>Camp Rudder</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Illinois</td>
<td>Rock Island</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Korea</td>
<td>Camp Walker</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(b) **Planning and Design.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $7,195,000.

**SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may improve existing military family housing units in an amount not to exceed $3,500,000.

**SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

(a) **Authorization of Appropriations.**—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) **Limitation on Total Cost of Construction Projects.**—Notwithstanding the cost variation authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the sum of:

1. The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.
2. $226,400,000 (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291) for a Command and Control Facility at Fort Shafter, Hawaii).
3. $6,000,000 (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 128 Stat. 2119) for Cadet barracks at the United States Military Academy, New York).
4. $78,000,000 (the balance of the amount authorized under section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 128 Stat. 2119), as amended by section 2105(a) of this Act, for a Secure Administration/Operations Facility at Fort Belvoir, Virginia).

**SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECT.**

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2119) for the United States Military Academy, New York, for construction of Cadet barracks building at the installation, the Secretary of the Army may install mechanical equipment and distribution lines sufficient to provide chilled water for air conditioning the nine existing historical Cadet barracks which are being renovated through the Cadet Barracks Upgrade Program.

**SEC. 2106. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.**

(a) **Extension.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1690), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (125 Stat. 1691), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) **Table.**—The table referred to in subsection (a) is as follows:

<table>
<thead>
<tr>
<th>State or Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia</td>
<td>Fort Benning</td>
<td>Land Acquisition</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Benning</td>
<td>Road and Infrastructure Improvements</td>
<td>$25,000,000</td>
</tr>
</tbody>
</table>

**SEC. 2107. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.**

(a) **Extension.**—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (126 Stat. 2119), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) **Table.**—The table referred to in subsection (a) is as follows:

<table>
<thead>
<tr>
<th>State or Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>District of Columbia</td>
<td>Fort McNair</td>
<td>Vehicle Storage Building, Installation</td>
<td>$7,191,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Fort Riley</td>
<td>Unmanned Aerial Vehicle Complex</td>
<td>$12,184,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Bragg</td>
<td>Aerial Gunnery Range</td>
<td>$41,945,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio</td>
<td>Barracks</td>
<td>$20,971,000</td>
</tr>
</tbody>
</table>
Army: Extension of 2013 Project Authorizations—Continued

<table>
<thead>
<tr>
<th>State or Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Virginia</td>
<td>Fort Belvoir</td>
<td>Secure Admin/Operations Facility</td>
<td>$85,876,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Camp Ederie</td>
<td>Barracks</td>
<td>$35,952,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Sagami</td>
<td>Vehicle Maintenance Shop</td>
<td>$17,976,000</td>
</tr>
</tbody>
</table>

SEC. 2109. LIMITATION ON CONSTRUCTION OF NEW FACILITIES AT GUANTANAMO BAY, CUBA.

(a) LIMITATION.—None of the amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for the Department of Defense may be used to construct new facilities at Guantanamo Bay, Cuba, until the Secretary of Defense certifies to the congressional defense committees that any new construction of facilities at Guantanamo Bay, Cuba, has enduring military value independent of a high value detention mission.

(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed as limiting the ability of the Department of Defense to obligate or expend available funds to correct a deficiency that is life-threatening, health-threatening, or safety-threatening.

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State or Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Yuma</td>
<td></td>
<td>$50,635,000</td>
</tr>
<tr>
<td>California</td>
<td>Coronado</td>
<td></td>
<td>$1,856,000</td>
</tr>
<tr>
<td></td>
<td>Lemoore</td>
<td></td>
<td>$71,830,000</td>
</tr>
<tr>
<td></td>
<td>Miramar</td>
<td></td>
<td>$11,200,000</td>
</tr>
<tr>
<td></td>
<td>Pendleton</td>
<td></td>
<td>$83,800,000</td>
</tr>
<tr>
<td></td>
<td>Point Mugu</td>
<td></td>
<td>$22,427,000</td>
</tr>
<tr>
<td></td>
<td>San Diego</td>
<td></td>
<td>$37,366,000</td>
</tr>
<tr>
<td></td>
<td>Twentynine Palms</td>
<td></td>
<td>$9,160,000</td>
</tr>
<tr>
<td></td>
<td>Jacksonville</td>
<td></td>
<td>$16,751,000</td>
</tr>
<tr>
<td></td>
<td>Mayport</td>
<td></td>
<td>$16,159,000</td>
</tr>
<tr>
<td></td>
<td>Pensacola</td>
<td></td>
<td>$18,347,000</td>
</tr>
<tr>
<td></td>
<td>Whiting Field</td>
<td></td>
<td>$10,421,000</td>
</tr>
<tr>
<td></td>
<td>Albany</td>
<td></td>
<td>$7,851,000</td>
</tr>
<tr>
<td></td>
<td>Kings Bay</td>
<td></td>
<td>$8,099,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Townsend</td>
<td></td>
<td>$43,279,000</td>
</tr>
<tr>
<td></td>
<td>Barking Sands</td>
<td></td>
<td>$30,623,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td></td>
<td>$14,981,000</td>
</tr>
<tr>
<td></td>
<td>Kaneohe Bay</td>
<td></td>
<td>$106,618,000</td>
</tr>
<tr>
<td></td>
<td>Marine Corps Base Hawaii</td>
<td></td>
<td>$12,800,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Patuxent River</td>
<td></td>
<td>$40,935,000</td>
</tr>
<tr>
<td></td>
<td>Camp Lejeune</td>
<td></td>
<td>$74,249,000</td>
</tr>
<tr>
<td></td>
<td>Cherry Point Marine Corp Air Station</td>
<td></td>
<td>$57,726,000</td>
</tr>
<tr>
<td></td>
<td>New River</td>
<td></td>
<td>$8,230,000</td>
</tr>
<tr>
<td></td>
<td>Norfolk</td>
<td></td>
<td>$25,086,000</td>
</tr>
<tr>
<td></td>
<td>Portsmouth</td>
<td></td>
<td>$128,677,000</td>
</tr>
<tr>
<td></td>
<td>Quantico</td>
<td></td>
<td>$45,513,000</td>
</tr>
<tr>
<td></td>
<td>Bremerton</td>
<td></td>
<td>$22,680,000</td>
</tr>
<tr>
<td></td>
<td>Indian Island</td>
<td></td>
<td>$4,472,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain Island</td>
<td>Southwest Asia</td>
<td></td>
<td>$89,791,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td></td>
<td>$181,768,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Camp Butler</td>
<td></td>
<td>$102,943,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Iwakuni</td>
<td></td>
<td>$11,697,000</td>
</tr>
<tr>
<td></td>
<td>Kadena Air Base</td>
<td></td>
<td>$17,923,000</td>
</tr>
<tr>
<td></td>
<td>Yokosuka</td>
<td></td>
<td>$23,310,000</td>
</tr>
<tr>
<td>Poland</td>
<td>RedzitKowo Base</td>
<td></td>
<td>$13,846,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$51,270,000</td>
</tr>
</tbody>
</table>

SEC. 2002. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the
Navy may construct or acquire family housing (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

### Navy: Family Housing

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Virginia</td>
<td>Wallops Island</td>
<td>Family Housing New Construction</td>
<td>$438,000</td>
</tr>
</tbody>
</table>

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $4,588,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $11,515,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the sum of the following:

1. The total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.
2. $274,099,000 (the balance of the amount authorized under section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1666) for an explosive handling wharf at Kitsap, Washington).
3. $65,196,000 (the balance of the amount authorized under section 2201(b) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 123 Stat. 2838) for ramp parking at Joint Region Marianas, Guam).

### SEC. 2205. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1666), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (125 Stat. 1666) and extended by section 2208 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–239; 128 Stat. 3678), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

#### Navy: Extension of 2012 Project Authorizations

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Camp Pendleton</td>
<td>Infantry Squad Defense Range</td>
<td>$29,187,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Jacksonville</td>
<td>P–8A Hangar Upgrades</td>
<td>$6,085,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Kings Bay</td>
<td>Crab Island Security Enclave</td>
<td>$52,913,000</td>
</tr>
</tbody>
</table>

### SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 3002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (126 Stat. 2122), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

#### Navy: Extension of 2013 Project Authorizations

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Camp Pendleton</td>
<td>Comm. Information Systems Ops Com-plex</td>
<td>$78,897,000</td>
</tr>
<tr>
<td></td>
<td>Coronado</td>
<td>Bachelor Quarters</td>
<td>$76,063,000</td>
</tr>
<tr>
<td></td>
<td>Souza Bay</td>
<td>Intermodal Access Road</td>
<td>$4,630,000</td>
</tr>
<tr>
<td>Greece</td>
<td>Beaufort</td>
<td>Recycling/Hazardous Waste Facility</td>
<td>$3,743,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Quantico</td>
<td>Infrastructure—Widen Russell Road</td>
<td>$14,826,000</td>
</tr>
<tr>
<td>Worldwide Uns.</td>
<td>Various Worldwide Locations</td>
<td>RAMS Operational Facilities</td>
<td>$34,098,000</td>
</tr>
</tbody>
</table>

### TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2904(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

#### Air Force: Inside the United States

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Eielson Air Force Base</td>
<td>$71,400,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Davis-Monthan Air Force Base</td>
<td>$16,900,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Luke Air Force Base</td>
<td>$77,700,000</td>
</tr>
<tr>
<td>CONUS Class.</td>
<td>U. S. Air Force Academy</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Cape Canaveral Air Force Station</td>
<td>$21,000,000</td>
</tr>
</tbody>
</table>
SEC. 2302. FAMILY HOUSING.
Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $9,849,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.
Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out existing military family housing units in an amount not to exceed $150,649,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.
(a) AUTHORIZATION OF APPROPRIATIONS.— Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2303 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the amount set forth in the funding table in section 4601.

SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2010 PROJECT.
In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 124 Stat. 3679) for McConnell Air Force Base, Kansas, for construction of a KC-46A Alter Composite Maintenance Shop at the installation, the Secretary of the Air Force may construct a 969 square meter (1,040 square foot) facility consistent with Air Force guidelines for composite maintenance shops.

SEC. 2307. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2012 PROJECT.
(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–33; 126 Stat. 1660), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (126 Stat. 1660), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hawaii</td>
<td>Eglin Air Force Base</td>
<td>$8,700,000</td>
</tr>
<tr>
<td></td>
<td>Hurlburt Field</td>
<td>$14,220,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Pearl Harbor–Hickam</td>
<td>$46,000,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>McConnell Air Force Base</td>
<td>$15,500,000</td>
</tr>
<tr>
<td></td>
<td>Barksdale</td>
<td>$30,000,000</td>
</tr>
<tr>
<td></td>
<td>Whiteman Air Force Base</td>
<td>$35,460,000</td>
</tr>
<tr>
<td></td>
<td>Malmstrom Air Force Base</td>
<td>$19,700,000</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Offutt Air Force Base</td>
<td>$21,000,000</td>
</tr>
<tr>
<td></td>
<td>Nellis Air Force Base</td>
<td>$68,950,000</td>
</tr>
<tr>
<td></td>
<td>Cannon Air Force Base</td>
<td>$7,800,000</td>
</tr>
<tr>
<td></td>
<td>Holloman Air Force Base</td>
<td>$6,200,000</td>
</tr>
<tr>
<td></td>
<td>Kirtland Air Force Base</td>
<td>$12,800,000</td>
</tr>
<tr>
<td></td>
<td>Fort Drum</td>
<td>$6,000,000</td>
</tr>
<tr>
<td></td>
<td>Seymour Johnson Air Force Base</td>
<td>$17,100,000</td>
</tr>
<tr>
<td></td>
<td>Altus Air Force Base</td>
<td>$28,400,000</td>
</tr>
<tr>
<td></td>
<td>Tinker Air Force Base</td>
<td>$49,900,000</td>
</tr>
<tr>
<td></td>
<td>Ellsworth Air Force Base</td>
<td>$35,000,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base San Antonio</td>
<td>$106,000,000</td>
</tr>
<tr>
<td></td>
<td>Hill Air Force Base</td>
<td>$38,400,000</td>
</tr>
<tr>
<td></td>
<td>F. E. Warren Air Force Base</td>
<td>$95,000,000</td>
</tr>
<tr>
<td></td>
<td>Eglin Air Force Base</td>
<td>$8,700,000</td>
</tr>
<tr>
<td></td>
<td>Hurlburt Field</td>
<td>$14,220,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base Pearl Harbor–Hickam</td>
<td>$46,000,000</td>
</tr>
<tr>
<td></td>
<td>McConnell Air Force Base</td>
<td>$15,500,000</td>
</tr>
<tr>
<td></td>
<td>Barksdale</td>
<td>$30,000,000</td>
</tr>
<tr>
<td></td>
<td>Whiteman Air Force Base</td>
<td>$35,460,000</td>
</tr>
<tr>
<td></td>
<td>Malmstrom Air Force Base</td>
<td>$19,700,000</td>
</tr>
<tr>
<td></td>
<td>Offutt Air Force Base</td>
<td>$21,000,000</td>
</tr>
<tr>
<td></td>
<td>Nellis Air Force Base</td>
<td>$68,950,000</td>
</tr>
<tr>
<td></td>
<td>Cannon Air Force Base</td>
<td>$7,800,000</td>
</tr>
<tr>
<td></td>
<td>Holloman Air Force Base</td>
<td>$6,200,000</td>
</tr>
<tr>
<td></td>
<td>Kirtland Air Force Base</td>
<td>$12,800,000</td>
</tr>
<tr>
<td></td>
<td>Fort Drum</td>
<td>$6,000,000</td>
</tr>
<tr>
<td></td>
<td>Seymour Johnson Air Force Base</td>
<td>$17,100,000</td>
</tr>
<tr>
<td></td>
<td>Altus Air Force Base</td>
<td>$28,400,000</td>
</tr>
<tr>
<td></td>
<td>Tinker Air Force Base</td>
<td>$49,900,000</td>
</tr>
<tr>
<td></td>
<td>Ellsworth Air Force Base</td>
<td>$35,000,000</td>
</tr>
<tr>
<td></td>
<td>Joint Base San Antonio</td>
<td>$106,000,000</td>
</tr>
<tr>
<td></td>
<td>Hill Air Force Base</td>
<td>$38,400,000</td>
</tr>
<tr>
<td></td>
<td>F. E. Warren Air Force Base</td>
<td>$95,000,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenland</td>
<td>Thule Air Base</td>
<td>$41,965,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$30,800,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Kadena Air Base</td>
<td>$3,000,000</td>
</tr>
<tr>
<td></td>
<td>Yokota Air Base</td>
<td>$8,461,000</td>
</tr>
<tr>
<td>Niger</td>
<td>Agadez</td>
<td>$50,000,000</td>
</tr>
<tr>
<td>Oman</td>
<td>Al Musannah Air Base</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Royal Air Force Croughton</td>
<td>$130,615,000</td>
</tr>
</tbody>
</table>

Air Force: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italy</td>
<td>Sigonella Naval Air Station</td>
<td>$15,000,000</td>
</tr>
<tr>
<td></td>
<td>UAS SATCOM Relay Pads and Facility</td>
<td></td>
</tr>
</tbody>
</table>
(b) O UTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

### Defense Agencies: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>France</td>
<td>Camp Lemonier</td>
<td>$43,700,000</td>
</tr>
<tr>
<td>Germany</td>
<td>Garmisch</td>
<td>$14,676,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Spangdahlem Air Base</td>
<td>$39,571,000</td>
</tr>
<tr>
<td>Poland</td>
<td>Redzikowo Base</td>
<td>$169,153,000</td>
</tr>
<tr>
<td>Spain</td>
<td>Rota</td>
<td>$13,737,000</td>
</tr>
<tr>
<td>Portugal</td>
<td>Lajes Field</td>
<td>$2,000,000</td>
</tr>
</tbody>
</table>

SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:
American Samoa ................................................. Wake Island .................................................. $5,500,000
Colorado ....................................................... Schriever Air Force Base ......................... $4,400,000
District of Columbia ............................................. NSA Washington/NRL ......................... $10,990,000
Guam .................................................................. Naval Base Guam ......................... $5,330,000
Hawaii ................................................................ Joint Base Pearl Harbor-Hickam ............. $13,780,000
Idaho .................................................................. Marine Corps Recruiting Command Kaneohe Bay....... $5,740,000
Montgomery ....................................................... Moutain Home Air Force Base .......... $6,471,000
Virginia .................................................................. Pentagon ............................................. $14,528,000
Washington ........................................................... Joint Base Lewis-McChord .......... $14,770,000
Various locations .................................................. Various locations ...................... $25,809,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Energy Conservation Projects: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahamas</td>
<td>Ascension Aux Airfield St. Helena</td>
<td>$5,500,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Yokosuka</td>
<td>$12,940,000</td>
</tr>
<tr>
<td>Various locations</td>
<td>Various locations</td>
<td>$3,600,000</td>
</tr>
</tbody>
</table>

SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2012 PROJECTS.

In the case of the authorization in the table in section 2403(a) of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1672), as amended by section 2404(a) of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2131), for a data center at Fort Meade, Maryland.

SEC. 2405. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1663), the authorization set forth in the table in subsection (b), as provided in section 2401 of that Act (125 Stat. 1672) and as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3585), shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2012 Project Authorizations

SEC. 2406. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 113–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (126 Stat. 2127), remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:
SEC. 2407. MODIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

In the case of the authorization contained in the table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 995) for Fort Knox, Kentucky, for construction of an Ambulatory Care Center at that location, subsequently cancelled by the Department of Defense, substitute authorization is provided for a 102,000-square foot Medical Clinic Replacement at that location in the amount of $80,000,000, using appropriations available for the original project pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 2601, the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the Army National Guard, for the Army Reserve:

<table>
<thead>
<tr>
<th>Army National Guard</th>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Camp Foley</td>
<td>$4,500,000</td>
<td></td>
</tr>
<tr>
<td>Connecticut</td>
<td>Camp Hartell</td>
<td>$11,000,000</td>
<td></td>
</tr>
<tr>
<td>Florida</td>
<td>Palm Coast</td>
<td>$18,000,000</td>
<td></td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Stewart</td>
<td>$6,800,000</td>
<td></td>
</tr>
<tr>
<td>Illinois</td>
<td>Sparta</td>
<td>$1,900,000</td>
<td></td>
</tr>
<tr>
<td>Kansas</td>
<td>Salina</td>
<td>$6,700,000</td>
<td></td>
</tr>
<tr>
<td>Maryland</td>
<td>Easton</td>
<td>$13,800,000</td>
<td></td>
</tr>
<tr>
<td>Mississippi</td>
<td>Gulfport</td>
<td>$40,000,000</td>
<td></td>
</tr>
<tr>
<td>Nevada</td>
<td>Reno</td>
<td>$8,000,000</td>
<td></td>
</tr>
<tr>
<td>Ohio</td>
<td>Camp Ravenna</td>
<td>$3,300,000</td>
<td></td>
</tr>
<tr>
<td>Oregon</td>
<td>Salem</td>
<td>$16,500,000</td>
<td></td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Fort Indiantown Gap</td>
<td>$16,000,000</td>
<td></td>
</tr>
<tr>
<td>Vermont</td>
<td>North Hyde Park</td>
<td>$7,900,000</td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>Richmond</td>
<td>$29,000,000</td>
<td></td>
</tr>
</tbody>
</table>

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Army Reserve: Inside the United States</th>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Miramar</td>
<td>$34,000,000</td>
<td></td>
</tr>
<tr>
<td>Florida</td>
<td>MacDill Air Force Base</td>
<td>$55,000,000</td>
<td></td>
</tr>
<tr>
<td>New York</td>
<td>Orangeburg</td>
<td>$1,200,000</td>
<td></td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Conneaut Lake</td>
<td>$5,000,000</td>
<td></td>
</tr>
<tr>
<td>Virginia</td>
<td>A.P. Hill</td>
<td>$24,000,000</td>
<td></td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve location outside the United States, and in the amount, set forth in the following table:
### SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nevada</td>
<td>Fallon</td>
<td>$11,408,000</td>
</tr>
<tr>
<td>New York</td>
<td>Brooklyn</td>
<td>$2,479,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Dam Neck</td>
<td>$18,440,000</td>
</tr>
</tbody>
</table>

### SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Dannelly Field</td>
<td>$7,600,000</td>
</tr>
<tr>
<td>California</td>
<td>Moffett Field</td>
<td>$6,500,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Buckley Air Force Base</td>
<td>$3,100,000</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Bradley</td>
<td>$6,300,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Cape Canaveral</td>
<td>$6,100,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Savannah Hilton Head IAP</td>
<td>$9,000,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$9,700,000</td>
</tr>
<tr>
<td>Iowa</td>
<td>Des Moines Map</td>
<td>$6,700,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>Smokey Hill ANG Range</td>
<td>$2,900,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Arlington IAP</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Maine</td>
<td>Bangor IAP</td>
<td>$7,200,000</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>Atlantic City IAP</td>
<td>$4,300,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Niagara Falls IAP</td>
<td>$10,200,000</td>
</tr>
<tr>
<td>New York</td>
<td>Charlotte-Douglas IAP</td>
<td>$5,900,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Hector IAP</td>
<td>$7,300,000</td>
</tr>
<tr>
<td>North Dakota</td>
<td>Will Roger's World Airport</td>
<td>$7,600,000</td>
</tr>
<tr>
<td>Oregon</td>
<td>Klamath Falls IAP</td>
<td>$7,200,000</td>
</tr>
<tr>
<td>West Virginia</td>
<td>Yeager Airport</td>
<td>$3,900,000</td>
</tr>
</tbody>
</table>

### SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>March Air Force Base</td>
<td>$4,600,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Patrick Air Force Base</td>
<td>$3,400,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Dobbins Air Reserve Base</td>
<td>$10,400,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Youngstown</td>
<td>$9,900,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio</td>
<td>$9,900,000</td>
</tr>
</tbody>
</table>

### SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

Subitle B—Others Matters

SEC. 2611. MODIFICATION AND EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) MODIFICATION.—In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–250; 126 Stat. 2018) for construction of an Army Reserve Center at that location, the Secretary of the Army may construct a new facility in the vicinity of Aberdeen Proving Ground, Maryland, for the purpose of military construction Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorization set forth in subsection (a) shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

SEC. 2612. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECTS.

(a) DAVIS-MONTHAN AFB.—In the case of the authorization contained in the table in section 2605 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3689) for Davis-Monthan Air Force Base, Arizona, for...
construction of a Guardian Angel Operations facility at that location, the Secretary of the Air Force may construct a new 5,913 square meter (63,647 square foot) facility in the amount of $15,200,000.

(b) Fort Smith.—In the case of the authorization contained in the table in section 2604 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3689) for Fort Smith Municipal Airport, Arkansas, for construction of a consolidated Secure Compartmented Information Facility at that location, the Secretary of the Air Force may construct a new facility in the amount of $15,200,000.

SEC. 2613. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2012 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2012 (division B of Public Law 112–81; 125 Stat. 1689), the authorizations set forth in the table in subsection (b), as provided in section 2602 of that Act (125 Stat. 1678), and extended by section 2611 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3689, 3691), shall remain in effect until October 1, 2015, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

Extension of 2012 National Guard and Reserve Project Authorization

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>New York</td>
<td>Camp Smith (Stormville)</td>
<td>Reserve Training Facility</td>
<td>$3,579,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Yuma</td>
<td>$5,373,000</td>
</tr>
<tr>
<td>Iowa</td>
<td>Fort Des Moines</td>
<td>Army Reserve Center</td>
<td>$27,000,000</td>
</tr>
<tr>
<td></td>
<td>Transient Journeys</td>
<td>Army Reserve Center</td>
<td>$19,162,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Attleboro</td>
<td>Joint Reserve Center—Des Moines</td>
<td>$7,187,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Combined Support Maintenance Shop</td>
<td>$24,000,000</td>
</tr>
</tbody>
</table>

SEC. 2614. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2013 PROJECTS.

(a) Extension.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2118), the authorizations set forth in the table in subsection (b), as provided in sections 2601, 2602, and 2603 of that Act (126 Stat. 2134, 2136) shall remain in effect until October 1, 2016, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2017, whichever is later.

(b) Table.—The table referred to in subsection (a) is as follows:

Extension of 2013 National Guard and Reserve Project Authorization

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Yuma</td>
<td>Reserve Training Facility</td>
<td>$3,579,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Yuma</td>
<td>$5,379,000</td>
</tr>
<tr>
<td>California</td>
<td>Tustin</td>
<td>Army Reserve Center</td>
<td>$27,000,000</td>
</tr>
<tr>
<td>Iowa</td>
<td>Des Moines</td>
<td>Joint Reserve Center—Des Moines</td>
<td>$19,162,000</td>
</tr>
<tr>
<td>Louisiana</td>
<td>New Orleans</td>
<td>Transient Journeys</td>
<td>$7,187,000</td>
</tr>
<tr>
<td>New York</td>
<td>Camp Smith (Stormville)</td>
<td>Combined Support Maintenance Shop</td>
<td>$24,000,000</td>
</tr>
</tbody>
</table>

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2015, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXV of Public Law 101–101; 10 U.S.C. 2807 note) and funded through the Department of Defense Base Closure and Realignment Account established by section 2906 of such Act (as amended by section 2906 of this title). The funds are authorized for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by section 2906 of such Act (as amended by section 2906 of this title) and the table in section 2604 of that Act (125 Stat. 1689).

TITLE XXVIII—MILITARY CONSTRUCTION AND MILITARY FAMILY HOUSING CHANGES

Subtitle A—Military Construction Program

SEC. 2801. AUTHORITY FOR ACCEPTANCE AND USE OF CONTRIBUTIONS FOR CERTAIN MUTUALLY BENEFICIAL PROJECTS.

(a) Authority.—Subchapter II of chapter 138 of title 10, United States Code, is amended by inserting after the section containing that subchapter the following new section:

"2350m. Construction, maintenance, and repair projects mutually beneficial to the Department of Defense and armed forces of a partner nation.

"(a) Authority to Accept Contributions.—The Secretary of Defense, after consultation with the Secretary of State, may accept cash contributions from any partner nation for the purposes specified in subsection (c).

"(b) Accounting.—Contributions accepted under subsection (a) shall be placed in an account established by the Secretary of Defense and shall remain available until expended for the purposes specified in subsection (c).

\[\text{(c) Availability of Contributions.—Contributions accepted under subsection (a) may not be used to offset burden sharing contributions that are otherwise required to be provided by partner nations.}\]

\[\text{(d) Prohibition on Use of Contributions to Offset Burden Sharing Contributions Required of Partner Nations.—Contributions accepted under subsection (a) may not be used to offset burden sharing contributions that are otherwise required to be provided by partner nations.}\]

\[\text{(e) Mutually Beneficial Defined.—A project shall be considered to be ‘mutually beneficial’ for purposes of this section if:}\]

\[\begin{align*}
\text{1) the project is in support of a bilateral defense cooperation agreement between the United States and a partner nation; or}\n\text{2) the Secretary determines that the United States may derive a benefit from the project, including:}\n\text{A) access to and use of facilities of the armed forces of a partner nation;}\n\text{B) ability or capacity for future force posture; and}\n\text{C) increased interoperability between the Department of Defense and the armed forces of a partner nation.}\n\end{align*}\]

\[\text{2350m. Construction, maintenance, and repair projects mutually beneficial to the Department of Defense and armed forces of a partner nation.}\]"
SEC. 2803. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATING AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.


(1) in paragraph (1), by striking “December 31, 2015” and inserting “December 31, 2016”; and

(2) in paragraph (2), by striking “fiscal year 2016” and inserting “fiscal year 2017”.

(b) Limitation on Use of Authority.—Subsection (c)(1) of such section is amended—

(1) by striking “October 1, 2014” and inserting “October 1, 2015”;

(2) by striking “December 31, 2015” and inserting “December 31, 2016”; and

(3) by striking “fiscal year 2016” and inserting “fiscal year 2017”.

(c) Elimination of Reporting Requirement.—Such section is further amended by striking subsection (h).

SEC. 2804. MODIFICATION OF REPORTING REQUIREMENT ON IN-KIND CONSTRUCTION AND RECONSTRUCTION PAYMENTS.

(a) Report Required.—

(1) IN GENERAL.—Not later than December 31, 2016, and annually thereafter, the Secretary of Defense may provide the congressional defense committees a report on in-kind construction and reconstruction payments received during the preceding fiscal year.

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

(A) A listing of each facility constructed or renovated for the Department of Defense as payment in-kind.

(B) An estimate of the value in United States dollars of that construction or renovation.

(C) A description of the source of the in-kind payment.

(D) A description of the agreement pursuant to which the in-kind payment was made.

(E) A description of the purpose and need for the construction or renovation.

(b) Repeal of Existing Reporting Requirement.—Subsection (c) of section 2806 of the Military Construction Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2149) is repealed.

SEC. 2805. LAB MODERNIZATION PILOT PROGRAM.

(a) Authority To Use Research, Development, Test, and Evaluation Funds.—The Secretary of Defense may fund military construction projects at the Department of Defense science and technology reinvention laboratories (as designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note)) using amounts appropriated for research, development, test, and evaluation for a program established under this section.

(b) Conditions.—Amounts made available pursuant to subsection (a) may be used for the purpose of funding major military construction projects that meet the following conditions:

(1) Projects are subject to the requirements of section 2802 of title 10, United States Code.

(2) Costs are included in the budget submitted to Congress pursuant to section 1105 of title 31, United States Code.

(3) Funds are specifically appropriated for the purpose of funding projects identified in paragraph (1).

(c) Certification.—The Secretary shall certify, as part of the budget submitted to Congress pursuant to section 1105 of title 31, United States Code, that military construction projects proposed pursuant to subsection (a)—

(1) will support the research and development activities at Department of Defense science and technology reinvention laboratories (as designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note)) of more than one military department or Defense Agency; and

(2) will establish facilities that will have significant potential for use by entities outside the Department of Defense, including universities, industrial partners, and other Federal agencies; and

(3) cannot be fully funded under the thresholds specified by section 2805 of title 10, United States Code.

(d) Funds.—Amounts used for the pilot program established under this section may not exceed $100,000,000 for any fiscal year.

SEC. 2806. CONVEYANCE TO INDIAN TRIBES OF CERTAIN HOUSING UNITS.

(a) Definitions.—In this section:

(1) Executive Director.—The term ‘Executive Director’ means the Executive Director of the Department of Housing and Urban Development.

(2) INDIAN TRIBE.—The term ‘Indian tribe’ means—

(A) any Indian tribe included on the list published by the Secretary of the Interior under section 2688(j) of title 10, United States Code, as most recently amended by section 2803 of this title; or

(B) any Indian tribe included on the list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a–1).

(b) Requests for Conveyance.—

(1) IN GENERAL.—The Executive Director shall request the conveyance of any relocatable military housing unit located at a military installation in the United States.

(2) NOTIFICATION.—The Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force shall resolve any conflict among requests of Indian tribes for the conveyance of a unit.

(c) Elimination of Reporting Requirement. —The authority provided under the predecessor legislation to this section does not apply to the conveyance of a unit.

SEC. 2811. UTILITY SYSTEM CONVEYANCE AUTHORITY.

(a) Definition.—In this section, the term ‘utility system conveyance authority’ means the authority provided under this section.

(b) Authority.—The Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force shall convey to the Indian tribe that is the subject of the request, at no cost to such tribe or such Department, any relocatable unit that is requested by the tribe under this section.

(c) Conditions.—The Secretary shall convey to the Indian tribe any relocatable unit requested by such tribe under this section.

SEC. 2813. MODIFICATION OF FACILITY REPAIR AUTHORITY.

(a) Notice and Wait Requirement.—Subsection (a) of section 2805(b)(1) of title 10, United States Code, as amended by section 2805(b)(1) of this title, is amended by striking “$7,500,000” and inserting “the amount specified in section 2805(b)(1) of this title”.

(b) Repair Projects.—Subsection (b)(3) of such section is amended by striking “$7,500,000” and inserting “the amount specified in section 2811(b) of this title”.

Title C—Land Conveyances

SEC. 2821. RELEASE OF REVERSIONARY INTEREST RETAINED FOR CONVERSATION OF PROPERTY RIGHTS.

(a) Release of Conditions and Retained Interests.—With respect to a parcel of real property in Jefferson County, Arkansas, consisting of approximately 1,447 acres and conveyed by deed to the Economic Development Alliance of Jefferson County, Arkansas (in this section referred to as the ‘Economic Development Alliance’), the United States for use as the facility known as the ‘Bioplex’ and related activities pursuant to section 2827 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201), the Secretary of the Army may release subject to the conditions of subsections (b) and (d) below, the conditions of conveyance of subsection (e) of section 2827, and the reversionary interest retained by the United States under subsection (e) of such section.

(b) Consideration.—

(1) Effect of conveyance.—Notwithstanding subsection (d) of such section 2827,
the release authorized by subsection (a) of this section shall be subject to the condition that, if the Economic Development Alliance reconverts all or any part of the conveyed property during the 25-year period referred to in subsection (c)(2) of such section, the Economic Development Alliance shall pay to the United States, upon reconvert, an amount equal to the fair market value of the reconverted property as of the time of the reconvert, excluding the value of any improvements made to the property by the Economic Development Alliance.

(2) DETERMINATION OF FAIR MARKET VALUE.—The Secretary of the Army shall determine fair market value in accordance with Federal appraisal standards and procedures.

(3) TREATMENT OF LEASES.—The Secretary of the Army may treat a lease of the property within such 25-year period as a reconvert if the Secretary determines that the lease is being used to avoid application of paragraph (1).

(4) DEPOSIT OF PROCEEDS.—The Secretary of the Army shall deposit any proceeds received under this subsection in the special account established pursuant to section 572(b) of title 31, United States Code.

(c) INSTRUMENT OF RELEASE.—The Secretary of the Army may execute and file in the manner prescribed in section 572(b) of title 31, United States Code, an instrument of release that authorizes the Economic Development Alliance to carry out the release of conditions and other administrative costs related to the fair market value of the reconverted property.

(1) PAYMENT REQUIRED.—The Secretary of the Army shall require the Economic Development Alliance to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the release of conditions and retained interests under subsection (a).

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the release of conditions and retained interests under subsection (a), including all costs related to environmental documentation, and other administrative costs related to the release, if amounts paid to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the release, the Secretary shall refund the excess amount to the Economic Development Alliance.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the release under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the release. Amounts so credited shall be merged with such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the release of conditions and retained interests under subsection (a) as the Secretary considers appropriate to protect the interests of the United States, including provisions that the Secretary determines are necessary to preclude any use of the property that would interfere with activities at Pine Bluff Arsenal.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds shall be available to be appropriated to the Department of Energy for fiscal year 2016 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS IN FUTURE YEARS.—Funds transferred in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out the following new plant projects:

Project 16-D-621, Substation Replacement at Technical Area 3, Los Alamos National Laboratory, Los Alamos, New Mexico, $25,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Amounts received under paragraph (1) as required for fiscal year 2016 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Amounts are hereby authorized to be appropriated to the Department of Energy for fiscal year 2016 for other defense activities in carrying out programs as specified in the funding table in section 4701.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. RESPONSIBILITY CAPABILITIES PROGRAM.

(a) IN GENERAL.—Subtitle A of title XXII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is amended by adding at the end the following new section:

**SEC. 4220. RESPONSIVE CAPABILITIES PROGRAM.**

(1) IN GENERAL.—The Administrator shall establish and carry out a program to exercise the technical capabilities of the Administration with respect to design and production of nuclear weapons to ensure that the Administration is ready to respond to future uncertainties not addressed by existing defense programs and the cost for each type of enrichment being considered.

(2) A description of changes in policy that would mitigate any shortfall in obtaining unencumbered uranium to meet national security requirements and the implications of those changes.

(3) The Administrator shall ensure that the program required by subsection (a) is integrated across the science, engineering, design, and manufacturing cycle of the Administration;

(2) results in—

(A) physical models of components and systems that enable the understanding of which will ensure that the enriched uranium models and experimental capabilities are robust, capable of being certified, and the development of the technical capabilities to ensure that the Administration is ready to respond to future uncertainties not addressed by existing defense programs and the cost for each type of enrichment being considered.

(3) An identification of national security requirements for unencumbered uranium, by program source and enrichment level, that is of a higher enrichment level.

(4) A description of the assessment of the swap and barter agreements involving unencumbered uranium that is of a higher enrichment level.

(5) An inventory of unencumbered depleted uranium, an assessment of the portion of that uranium that could be allocated to national security requirements and an estimate of the costs of re-enriching that uranium.

(6) A description of the inventory of unencumbered depleted uranium, and the cost for each type of enrichment being considered.

(7) A description of changes in policy that would mitigate any shortfall in obtaining unencumbered uranium to meet national security requirements and the implications of those changes.

(7) A description of changes in policy that would mitigate any shortfall in obtaining unencumbered uranium to meet national security requirements and an assessment of whether that shortfall could be mitigated by the blending down of uranium that is of a higher enrichment level.

(8) A description of the swap and barter agreements involving unencumbered uranium that is of a higher enrichment level.

(9) A description of the swap and barter agreements involving unencumbered uranium that is of a higher enrichment level.

(10) An inventory of unencumbered depleted uranium, and the cost for each type of enrichment being considered.

(11) A description of the assessment of the swap and barter agreements involving unencumbered uranium that is of a higher enrichment level.

(12) An identification of national security requirements for unencumbered uranium, by program source and enrichment level, that is of a higher enrichment level.

(13) The Administrator shall ensure that the program required by subsection (a) is integrated across the science, engineering, design, and manufacturing cycle of the Administration;

(2) results in—

(A) physical models of components and systems that enable the understanding of which will ensure that the enriched uranium models and experimental capabilities are robust, capable of being certified, and the development of the technical capabilities to ensure that the Administration is ready to respond to future uncertainties not addressed by existing defense programs and the cost for each type of enrichment being considered.

(3) An identification of national security requirements for unencumbered uranium, by program source and enrichment level, that is of a higher enrichment level.

(4) A description of the assessment of the swap and barter agreements involving unencumbered uranium that is of a higher enrichment level.

(5) An inventory of unencumbered depleted uranium, an assessment of the portion of that uranium that could be allocated to national security requirements and an estimate of the costs of re-enriching that uranium.

(6) A description of the inventory of unencumbered depleted uranium, and the cost for each type of enrichment being considered.

(7) A description of changes in policy that would mitigate any shortfall in obtaining unencumbered uranium to meet national security requirements and the implications of those changes.

(7) A description of changes in policy that would mitigate any shortfall in obtaining unencumbered uranium to meet national security requirements and an assessment of whether that shortfall could be mitigated by the blending down of uranium that is of a higher enrichment level.

(8) A description of the swap and barter agreements involving unencumbered uranium that is of a higher enrichment level.

(9) A description of the swap and barter agreements involving unencumbered uranium that is of a higher enrichment level.

(10) An inventory of unencumbered depleted uranium, and the cost for each type of enrichment being considered.

(11) A description of the assessment of the swap and barter agreements involving unencumbered uranium that is of a higher enrichment level.

(12) An identification of national security requirements for unencumbered uranium, by program source and enrichment level, that is of a higher enrichment level.
committees a five-year management plan for activities associated with the defense nuclear nonproliferation programs of the Administration.

(b) Requirements.—The plan required by subsection (a) shall include, with respect to each defense nuclear nonproliferation program of the Administration, the following:

(1) A description of the following:

(A) The policy context in which the program operates, including—

(i) a list of relevant laws, policy directives issued by the President, and international agreements; and

(ii) nuclear nonproliferation activities carried out by other Federal agencies.

(B) The objectives and priorities of the program during the year preceding the submission of the plan required by subsection (a).

(C) The activities carried out under the program during that year.

(D) The accomplishments and challenges of the program during that year.

(2) Plans for activities of the program during the five-year period beginning on the date on which the plan required by subsection (a) is submitted, including activities with respect to the following:

(A) Preventing nuclear and radiological proliferation and terrorism, including through—

(i) material management and minimization;

(ii) global nuclear material security;

(iii) nonproliferation and arms control;

(iv) defense nuclear research and development; and

(v) nonproliferation construction programs, including activities associated Department of Energy Order 413.1 (relating to program management controls).

(B) Countering nuclear and radiological proliferation and terrorism.

(C) Responding to nuclear and radiological proliferation and terrorism, including through—

(i) crisis operations;

(ii) consequences management; and

(iii) emergency management, including international capacity building.

(3) A threat analysis in support of the plans described in paragraph (2).

(4) A plan for funding the program during the five-year period beginning on the date on which the plan required by subsection (a) is submitted.

(5) A description of funds for the program received from or cost-sharing agreements with foreign governments consistent section 3132(f) of the Ronald Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2569(f)).

(6) Such other matters as the Administrator considers appropriate.

(c) New Section.—The plan required by subsection (a) may be submitted to the congressional defense committees in classified form.

(b) Clerical Amendment.—The table of contents of the Atomic Energy Defense Act is amended by inserting after the item relating to section 4308 the new item:

"Sec. 4309. Defense nuclear nonproliferation management plan."

(c) Conforming Repeals.—(1) Section 3145 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2197) is repealed.

SEC. 3114. PLAN FOR DEACTIVATION AND DECOMMISSIONING OF OPERATIONAL DEFENSE NUCLEAR FACILITIES.

(a) In General.—Subsection B of title XLIV of the Atomic Energy Defense Act (50 U.S.C. 2962 et seq.) is amended by adding at the end the following new section:

"Sec. 4423. Plan for deactivation and decommissioning of nonoperational defense nuclear facilities.

"(a) In General.—During each even-numbered year beginning in 2016, the Secretary of Energy shall develop a plan to provide guidance for the Department of Energy relating to the deactivation and decommissioning of nonoperational defense nuclear facilities.

"(b) Elements.—The plan required by subsection (a) shall include the following:

(1) A list of nonoperational defense nuclear facilities, prioritized for deactivation and decommissioning based on the potential to reduce risks to human health, property, or the environment and to maximize cost savings.

(2) An assessment of the life cycle costs of each nonoperational defense nuclear facility during the period beginning on the date on which the plan is submitted under subsection (c) and ending on the earlier of—

(A) the date that is 25 years after the date on which the plan is submitted; or

(B) the estimated date for deactivation and decommissioning of the facility.

(3) An estimate of the cost and time needed to deactivate and decommission each nonoperational defense nuclear facility, if available.

(4) An estimate of the time at which the Office of Environmental Management anticipates accepting nonoperational defense nuclear facilities for deactivation and decommissioning.

(5) An estimate of costs that could be avoided by—

(A) accelerating the cleanup of nonoperational defense nuclear facilities; or

(B) other means, such as reusing such facilities for another purpose.

"(c) Definitions.—In this section:

"(1) the term ‘costs’ has the meaning—

(A) the present and future costs of all resources and associated cost elements required to develop, produce, deploy, or sustain the facility; and

(B) the present and future costs to deactivate, decommission, and deconstruct the facility.

"(2) The term ‘nonoperational defense nuclear facility’ means a production facility or utilization facility (as those terms are defined in section 11 of the Atomic Energy Act of 1954 (42 U.S.C. 2014)) under the control or jurisdiction of the Secretary of Energy and used for national security purposes that is no longer needed for the mission of the Department of Energy, including the National Nuclear Security Administration.

"(3) Authorization.—The amendment made by this section is effective as if inserted by the Secretary of Energy in the table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4422 the following new item:

"Sec. 4423. Plan for deactivation and decommissioning of nonoperational defense nuclear facilities."

"(a) In General.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary of Energy shall arrange to have an owner’s agent provide the Secretary in writing any documentation describing the responsibilities of the Secretary with respect to the contract described in subsection (b).

"(b) Contract Described.—The contract described in this subsection is the contract that resulted in a contract between the Office of River Protection of the Department of Energy and Bechtel National, Inc. or its successor relating to the Hanford Waste Treatment and Immobilization Plant (contract number DE-AC27-01VR10346).

"(c) Duties.—The duties of the owner’s agent under subsection (a) shall include the following:

(1) Performing design, construction, nuclear safety, and operability oversight of each facility covered by the contract described in subsection (b).


(3) Assisting the Secretary in ensuring that, until the Secretary approves the documented safety analysis for each facility covered by the contract, the contractor ensures that each preliminary documented safety analysis is current.

(4) Ensuring that the contractor acts to promptly resolve any unreviewed safety questions.

(5) Report Required.—(a) In General.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, and every 180 days thereafter, the owner’s agent specified in subsection (a) shall submit to the Secretary and the congressional defense committees a report on the assistance provided by the owner’s agent to the Secretary under subsection (c), with respect to oversight of the contract described in subsection (b).

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

(A) Information on the status of, and the plan for resolving, each unresolved safety question at each facility covered by the contract described in subsection (b).

(B) An identification of each instance of disagreement between the owner’s agent and
the contractor with respect to whether an unreviewed safety question exists and the plan for resolution of the disagreement.

(C) An identification of each aspect of each preliminary documented safety analysis that is not current, the plan for making that aspect current, and the status of the corrective efforts.

(D) Information on the status of, and the plan for resolving, each unresolved technical issue at each facility covered by the contract, and the status of corrective efforts.

(E) In this section—

(1) The term ‘contractor’ means Bechtel National, Inc.

(2) The term ‘current’, with respect to a documented safety analysis, means that the documented safety analysis includes any design changes approved by the contractor and any safety evaluation reports issued by the Secretary with respect to the facility covered by the analysis before the date that is 60 days before the date of the analysis.

(3) The terms ‘documented safety analysis’, ‘safety evaluation report’, and ‘unreviewed safety question’ have the meanings given those terms in section 531.3 of title 10, Code of Federal Regulations (or any corresponding rule or regulation).

(4) The term ‘owner’s agent’ means a private third-party entity with nuclear safety management expertise and without any contractual relationship with the contractor or conflict of interest.’’.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4455 the following new item:

‘‘Sec. 4456. Hanford Waste Treatment and Immobilization Plant contract oversight.’’

SEC. 3116. ASSESSMENT OF EMERGENCY PREPAREDNESS OF DEFENSE NUCLEAR FACILITIES.

(a) In General.—Subtitle A of title XLVIII of the Atomic Energy Defense Act (50 U.S.C. 2791 et seq.) is amended by inserting after section 4802 the following new section:

‘‘Sec. 4802A. Assessments of emergency preparedness of defense nuclear facilities.

‘‘(a) In General.—The Secretary of Energy shall conduct, in each award-valuation competition conducted under section 16.401 of title 48, Code of Federal Regulations, of a management and operating contract for a Department of Energy defense nuclear facility beginning on or after January 1, 2016 or any even-numbered year thereafter, an assessment of the adequacy of the emergency preparedness of that facility, including an assessment of the seniority level of employees and contractors of the Department of Energy that participate in emergency preparedness exercises at that facility.

(b) Report Required.—Not later than 60 days after conducting an assessment under subsection (a), the Secretary shall submit to the congressional defense committees a report on the assessment.

(c) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4450 the following new item:

‘‘Sec. 4450A. Assessments of emergency preparedness of defense nuclear facilities.’’

SEC. 3117. LABORATORY- AND FACILITY-DIRECTED RESEARCH AND DEVELOPMENT PROGRAMS.

(a) Funding for Laboratory-Directed Research and Development.—Section 4811(c)(2) of the Atomic Energy Defense Act (50 U.S.C. 2791a(c)) is amended by striking ‘‘not to exceed 6 percent’’ and inserting ‘‘not less than 8 percent’’.

(b) Facility-Directed Research and Development.—

(1) In General.—Subtitle B of title XLVIII of such Act (50 U.S.C. 2791 et seq.) is amended by inserting after section 4811 the following new section:

‘‘Sec. 4811A. Facility-Directed Research and Development.

‘‘(a) Authority.—A covered facility that is funded out of funds available to the Department of Energy under this Act or other security or defense programs may carry out facility-directed research and development.

‘‘(b) REGULATIONS.—The Secretary of Energy shall prescribe regulations for the conduct of facility-directed research and development under subsection (a).

‘‘(c) Funding.—Funds provided by the Department of Energy to covered facilities, the Secretary shall provide a specific amount, not to exceed 4 percent of such funds, to be used by such facilities for facility-directed research and development.

‘‘(d) Definitions.—In this section—

(1) ‘‘Covered facility’’ means a nuclear weapons production facility or the Nevada Site Office of the Department of Energy.

(2) ‘‘Facility-directed research and development’’ means research and development work of a creative and innovative nature that, under the regulations prescribed by the Secretary, is selected by the director or manager of a covered facility for the purpose of maintaining the vitality of the facility in defense-related scientific disciplines.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4450 the following new item:

‘‘Sec. 4451A. Facility-directed research and development.’’

SEC. 3118. LIMITATION ON BONUSES FOR EMPLOYEES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION WHO ENGAGE IN IMPROPER PROGRAM MANAGEMENT.

(a) In General.—Subtitle C of the National Nuclear Security Administration Act (50 U.S.C. 2441 et seq.) is amended by adding at the end the following new section:

‘‘Sec. 3245. Limitation on bonuses for employees who engage in improper program management.

‘‘(a) AUTHORITY.—A covered facility that is funded out of funds available to the Department of Energy or the Administrator determines that a senior employee of the Administration committed improper program management, the Secretary or the Administrator shall not pay a bonus to that employee during the one-year period following the date on which the determination is made.

‘‘(b) WAIVER.—The Secretary or the Administrator may waive the limitation on the payment of bonuses under subsection (a) on a case-by-case basis—

(1) The Secretary or the Administrator, as the case may be, notifies the congressional defense committees of the waiver; and

(2) a period of at least 30 days elapses following the notification before the bonus is paid.

‘‘(c) DEFINITIONS.—In this section—

(1) ‘‘Bonus’’ means any bonus or cash award, including—

(A) an award under chapter 45 of title 5, United States Code;

(B) an additional step-increase under section 5336 of title 5, United States Code;

(C) an award under section 5384 of title 5, United States Code;

(D) a recruitment or relocation bonus under section 5753 of title 5, United States Code; and

(E) a retention bonus under section 5754 of title 5, United States Code.

(2) ‘‘Facility-Directed research and development’’ means—

(A) a construction project of the Administration that is not a minor construction project (as defined in section 4703(d) of the Atomic Energy Defense Act (50 U.S.C. 2743(d))); or

(3) ‘‘A life extension program’’ for the term ‘‘improper program management’’ means actions relating to the management of a covered project that significantly—

(1) delay the project;

(2) reduce the scope of the project; or

(3) increase the cost of the project.’’.

(b) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 3244 the following new item:

‘‘Sec. 3245. Limitation on bonuses for employees who engage in improper program management.’’

SEC. 3119. MODIFICATION OF AUTHORIZED PERSONNEL LIMITATIONS OF THE ADMINISTRATOR FOR NUCLEAR SECURITY.

Section 3244A(b)(3) of the National Nuclear Security Administration Act (50 U.S.C. 2441a(b)(3)) is amended by adding at the end the following new subparagraph:

‘‘(E) 100 employees in positions established under section 3241.’’

SEC. 3120. MODIFICATION OF SUBMISSION OF ASSESSMENTS OF CERTAIN BUDGET REQUESTS AND CONTRACTS FOR THE NUCLEAR WEAPONS STOCKPILE.

Section 3255(a)(2) of the National Nuclear Security Administration Act (50 U.S.C. 2455(a)(2)) is amended by inserting ‘‘in each even-numbered year and 150 days in each odd-numbered year’’ after ‘‘90 days’’.

SEC. 3121. REALIGN OFFICE THREE REVIEW OF CERTAIN DEFENSE ENVIRONMENTAL CLEANUP PROJECTS.

Section 3134 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2713), as amended by section 3134(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 112–239; 126 Stat. 2186), is further amended—

(1) in subsection (a), by striking ‘‘a series of three reviews, as described in subsections (b), (c), and (d)’’ and inserting ‘‘two reviews, as described in subsections (b) and (c)’’; and

(2) by striking subsection (d).

SEC. 3122. MODIFICATIONS TO COST-Benefit ANALYSES FOR COMPETITION OF MANAGEMENT AND OPERATING CONTRACTS.

Section 3121 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–288; 126 Stat. 2375), as amended by section 3121(b) and (c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1062), is further amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (4) and (5) as paragraphs (6) and (7), respectively; and

(B) by striking paragraphs (1) through (3) and inserting the following new paragraphs:

‘‘(1) a clear and complete description of the cost savings the Administrator expects to result from the competition for the contract life of the contract, including associated analyses, assumptions, and information sources used to determine such cost savings;

‘‘(2) a description of any key limitations or uncertainties that could affect such cost savings, including costs savings that are anticipated but not fully known; and

‘‘(3) the costs of the competition for the contract, including the immediate costs of conducting the competition;

‘‘(4) a description of any expected disruptions or delays in Mission activities or deliverables resulting from the competition for the contract;

‘‘(5) a clear and complete description of the benefits expected by the contractor with respect to mission performance or operations resulting from the competition;’’;

‘‘(2) a description of any key limitations or uncertainties that could affect such cost savings, including costs savings that are anticipated but not fully known; and

‘‘(3) the costs of the competition for the contract, including the immediate costs of conducting the competition;’’;

‘‘(4) a description of any expected disruptions or delays in Mission activities or deliverables resulting from the competition for the contract;’’;

‘‘(5) a clear and complete description of the benefits expected by the contractor with respect to mission performance or operations resulting from the competition;’’;
(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;
(3) by inserting after subsection (b) the following new subsection (c):
"(c) INFORMATION QUALITY.—A report required by subsection (a) shall be prepared in accordance with—
(1) the information quality guidelines of the Department of Energy that are relevant to the clear and complete presentation of information on each matter required to be included in the report under subsection (b); and
(2) best practices of the Government Accountability Office and relevant industries for comparable purposes, if appropriate.''

(4) in subsection (d), as redesignated by paragraph (2), by striking paragraph (1) and inserting the following new paragraph (1):
"(1) IN GENERAL.—Except as provided in paragraph (2), the Comptroller General of the United States shall submit to the congressional defense committees a review of each report required by subsection (a) with respect to a contract not later than 3 years after the report is submitted to such committees that includes an assessment, based on the most current information available, of the following:
"(A) The actual cost savings achieved compared to the cost estimated under subsection (b)(1), and any increased costs incurred under the contract that were unexpected or uncertain at the time the contract was awarded.
"(B) Any disruptions or delays in mission activities or deliverables resulting from the competition for the contract compared to the disruptions and delayed estimates under subsection (b)(4).
"(C) Whether expected benefits of the competition with respect to mission performance or operational effectiveness were achieved.
"(D) the status of the implementation of the recommendations specified in subsection (b); and
"(E) The actual cost savings achieved compared to the estimated cost at completion of the contract that were unexpected or uncertain at the time the contract was awarded.
(5) in subsection (e), as so redesignated—
"(A) in paragraph (1), by striking ''2013 through 2017'' and inserting ''2015 through 2020'';
"(B) by striking paragraph (2);
"(C) by redesignating paragraph (3) as paragraph (2); and
"(D) in paragraph (2), as redesignated by subparagraph (C), by striking ''subsections (a) and (d)(2)'' and inserting ``subsection (a)''.

SEC. 3123. IMPLEMENTATION OF RECOMMENDATIONS OF THE CONGRESSIONAL ADVISORY PANEL ON THE GOVERNANCE OF THE NUCLEAR SECURITY ENTERPRISE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall enter into an agreement with the National Academy of Sciences and the National Academy of Public Administration (in this section referred to as the ‘‘joint panel’’) to review the implementation of the recommendations specified in subsection (b) of the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise established by section 3166 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2208), as amended by section 3142 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1396), and submitted to Congress pursuant to section 3166 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2208), as amended by section 3142 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1396).


(c) REPORT REQUIRED.—Not later than March 31, 2016, and annually thereafter through 2020, the joint panel shall submit to the congressional defense committees a report on the review required by subsection (a) that includes an assessment of—
(1) the status of the implementation of the recommendations specified in subsection (b); and
(2) the extent to which the implementation of the recommendations is resulting in the designation of an entity as the appropriate entity under section 2306 of the Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1351) (as so redesignated by section 934 of the Department of Defense Appropriations Act, 2013 (Public Law 112–74; 126 Stat. 648)).

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2016, $23,150,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 31 of the Atomic Energy Act of 1954 (42 U.S.C. 2266 et seq.).

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—
(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and
(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMATIC AUTHORITY.—Amounts specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1522 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

SEC. 4002. CLARIFICATION OF APPLICABILITY OF UNDISTRIBUTED REDUCTIONS OF CERTAIN OPERATION AND MAINTENANCE FUNDING AMONG ALL OPERATION AND MAINTENANCE FUNDING.

Any undistributed reduction in funding available for fiscal year 2016 for the Department of Defense for operation and maintenance, as specified in the funding table in section 4301, that is attributable to savings in connection with foreign currency fluctuations or bulk fuel purchases, may be applied against any funds available for that fiscal year for the Department for operation and maintenance, regardless of whether available as specified in the funding table in section 4301 or available as specified in the funding table in section 4302.
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**MODIFICATIONS**

- Army UPL for AH-64 ASE: urgent survivability requirement
- M1 ABRAMS TANK (MOD) for Patriot PAC 3 for improved ballistic missile defense
- RFP release delayed, early to need
- M88 FOV MODS
- Joint Assault Bridge
- 16 M88A2s to support modernization of ABCTs and industrial base
- Transferred funds

**SUPPORT EQUIPMENT & FACILITIES**

- Production Base Support
### MOD OF WEAPONS AND OTHER COMBAT VEH

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Under execution of prior year funds:

- ELECT EQUIP—TACTICAL C2 SYSTEMS
  - EFTF FAMILY
  - AIR & MSL DEFENSE PLANNING & CONTROL SYS
  - LAMD BATTLE COMMAND SYSTEM
  - LIFECYCLE SOFTWARE SUPPORT (LCSB)
  - DEPARTMENT INITIALIZATION AND SERVICE
  - MANEUVER CONTROL SYSTEM (MCS)
  - GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)
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<td><strong>ELECT EQUIP—AUDIO VISUAL SYS (AV)</strong></td>
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<td>ARMY WATERCRAFT ESP</td>
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<td>TRAINING DEVICES, NONSYSTEM</td>
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<td>AVIATION COMBINED ARMS TACTICAL TRAINER</td>
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<td>CALIBRATION SETS EQUIPMENT</td>
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<td>INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)</td>
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<td>PRODUCTION BASE SUPPORT (OTH)</td>
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<td>SPECIAL EQUIPMENT FOR USER TESTING</td>
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<td>TRACTOR YARD</td>
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<td>INITIAL SPARES—C&amp;E</td>
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**TOTAL OTHER SPARES—C&E**

**AIRCRAFT PROCUREMENT, NAVY**

**COMBAT AIRCRAFT**

2. FA-18E/F (FIGHTER) HORNET

3. JOINT STRIKE FIGHTER CV

4. JOINT STRIKE FIGHTER CV (AP)

5. JSF STOVL

6. JSF STOVL (AP)

7. CH-53K (HEAVY LIFT)

8. V-22 (MEDIUM LIFT)

9. V-22 (MEDIUM LIFT) (AP)

10. H-1 UPGRADES (UH-1Y/AH-1Z)

11. H-1 UPGRADES (UH-1Y/AH-1Z) (AP)

12. MH-60S (MYP)

13. P-8A POSEIDON

14. P-8A POSEIDON (AP)

15. E-2D ADV HAWKEYE

16. E-2D ADV HAWKEYE (AP)

**TRAINER AIRCRAFT**

20. JPATS

21. KC-130J

22. KC-130J (AP)

23. MQ-4 TRITON

24. MQ-4 TRITON (AP)

25. MQ-8 UAV

26. STUASL0 UAV

**MODIFICATION OF AIRCRAFT**

28. EA-6 SERIES

29. AEA SYSTEMS

30. AV-8 SERIES

31. ADVERSARY

32. F-18 SERIES

33. AV-8B Link 16 upgrades, unfunded requirement

34. H-53 SERIES

35. H-60 SERIES

36. H-1 SERIES

37. EP-3 SERIES

38. F-3 SERIES

39. EP SERIES

40. TRAINER A/C SERIES

41. C-2A

42. C-130 SERIES

43. EFSW

44. CARGO/TRANSPORT A/C SERIES

45. E-6 SERIES

46. EXECUTIVE HELICOPTERS SERIES

47. SPECIAL PROJECT AIRCRAFT

48. T-45 SERIES

49. POWER PLANT CHANGES

50. JPATS SERIES

51. COMBAT GEM EQUIPMENT

52. COMMON AVIONICS CHANGES

53. COMMON DEFENSIVE WEAPON SYSTEM

54. 1D SYSTEMS

55. MFRS (BAC) OSPREY

56. MV-22 Integrated Aircraft Survivability

**MV-22 Ballistic Protection**
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TOTAL AIRCRAFT PROCUREMENT, NAVY | 16,128,405 | 18,473,105 |

TOTAL WEAPONS PROCUREMENT, NAVY | 3,154,154 | 3,202,822 |
### SEC. 4101. PROCUREMENT (In Thousands of Dollars)

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**TOTAL OTHER PROCUREMENT, NAVY**

**CONGRESSIONAL RECORD — SENATE**

*June 2, 2015*
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**INDUSTRIAL PREPAREDNESS**

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**CLASSIFIED PROGRAMS**

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**TOTAL AIRCRAFT PROCUREMENT, AIR FORCE**

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**MISSILE PROCUREMENT, AIR FORCE**

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**TACTICAL**

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**INDUSTRIAL FACILITIES**

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**MISSILE SPARES AND REPAIR PARTS**

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**TOTAL MISSILE PROCUREMENT, AIR FORCE**

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**SPACE PROCUREMENT, AIR FORCE**

**SPACE PROGRAMS**

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**EVP**

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**TOTAL SPACE PROCUREMENT, AIR FORCE**

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**PROCUREMENT OF AMMUNITION, AIR FORCE**

**ROCKETS**

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**ROCKETS**

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**EXPLOSIVE ORDNANCE DISPOSAL (EOD)**

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**SPARES AND REPAIR PARTS**

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**MODIFICATIONS**

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### SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

#### (In Thousands of Dollars)

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### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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### TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

#### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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**SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION**

2,068,950 | 2,098,618

**OPERATIONAL SYSTEMS DEVELOPMENT**

154  | 0603778A       | MLRS PRODUCT IMPROVEMENT PROGRAM | 18,399 | 18,399 |
| 155  | 0603813A       | TRACTOR PULL | 9,461 | 9,461 |
| 156  | 0603814A       | WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS | 4,945 | 4,945 |
| 157  | 0607133A       | TRACTOR SMOKE | 7,569 | 7,569 |
| 158  | 0607135A       | APACHE PRODUCT IMPROVEMENT PROGRAM | 69,862 | 69,862 |
| 159  | 0607136A       | BLACKHAWK PRODUCT IMPROVEMENT PROGRAM | 66,653 | 66,653 |
| 160  | 0607137A       | CHINOOK PRODUCT IMPROVEMENT PROGRAM | 75,307 | 75,307 |
| 161  | 0607138A       | FIXED WING PRODUCT IMPROVEMENT PROGRAM | 1,151 | 1,151 |
| 162  | 0607139A       | IMPROVED TURBINE ENGINE PROGRAM | 51,164 | 51,164 |
| 163  | 0607140A       | EMERGING TECHNOLOGIES FROM NIE | 2,681 | 2,681 |
| 164  | 0607141A       | LOGISTIQ AUTOMATION | 1,873 | 1,873 |
| 165  | 0607145A       | FAMILY OF BIOMETRIAG | 13,237 | 13,237 |
| 166  | 0607146A       | PATRIOT PRODUCT IMPROVEMENT | 105,816 | 105,816 |
| 167  | 0607149A       | AEROSTAT JOINT PROJECT—COCOM EXERCISE | 40,565 | 40,565 |
| 168  | 0607151A       | JOINT AUTOMATION AND OPERATION COORDINATION SYSTEM (JACOS) | 38,199 | 38,199 |
| 169  | 060735A       | COMBAT VEHICLE IMPROVEMENT PROGRAMS | 297,167 | 297,167 |

**Stryker modification and improvement**

170  | 0607340A       | MANEUVER CONTROL SYSTEM | 15,445 | 15,445 |
<p>| 171  | 0607347A       | AIRCRAFT ENGINEERING COMMERCE IMPROVEMENT PROGRAM | 391,164 | 391,164 |
| 172  | 0607358A       | DIGITIZATION | 4,361 | 4,361 |
| 173  | 0607368A       | MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM | 3,154 | 3,154 |
| 174  | 0607369A       | OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS | 35,851 | 35,851 |
| 175  | 0607370A       | TACTICAL CARDO | 34,869 | 34,869 |
| 176  | 0607402A       | INTEGRATED BASE DEFENSE—OPERATIONAL SYSTEM DEVI | 10,750 | 10,750 |
| 177  | 0607403A       | MATERIALS HANDLING EQUIPMENT | 402 | 402 |</p>
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TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY | 6,924,959 | 7,016,627 |

RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY

BASIC RESEARCH

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APPLIED RESEARCH

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SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

(In Thousands of Dollars)

June 2, 2015

Congressional Record — Senate
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CONGRESSIONAL RECORD — SENATE

June 2, 2015

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)
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Item

FY 2016
Request

Senate
Authorized

Accelerate submarine combat and weapon system modernization ...........................................
SHIP CONTRACT DESIGN/ LIVE FIRE T&E ..............................................................................
NAVY TACTICAL COMPUTER RESOURCES .............................................................................
VIRGINIA PAYLOAD MODULE (VPM) .......................................................................................
MINE DEVELOPMENT ................................................................................................................
LIGHTWEIGHT TORPEDO DEVELOPMENT ..............................................................................
JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT ....................................................
PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS ..........................................
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SHIP SELF DEFENSE (DETECT & CONTROL) ..........................................................................
SHIP SELF DEFENSE (ENGAGE: HARD KILL) .........................................................................
SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW) ....................................................................
INTELLIGENCE ENGINEERING .................................................................................................
MEDICAL DEVELOPMENT .........................................................................................................
NAVIGATION/ID SYSTEM ..........................................................................................................
JOINT STRIKE FIGHTER (JSF)—EMD ......................................................................................
F–35B Block 4 development early to need .................................................................................
JOINT STRIKE FIGHTER (JSF)—EMD ......................................................................................
F–35C Block 4 development early to need .................................................................................
JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—MARINE CORPS ............................
JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—NAVY .............................................
INFORMATION TECHNOLOGY DEVELOPMENT .......................................................................
INFORMATION TECHNOLOGY DEVELOPMENT .......................................................................
CH–53K RDTE ..............................................................................................................................
SHIP TO SHORE CONNECTOR (SSC) ..........................................................................................
JOINT AIR-TO-GROUND MISSILE (JAGM) ................................................................................
MULTI-MISSION MARITIME AIRCRAFT (MMA) .......................................................................
DDG–1000 ......................................................................................................................................
TACTICAL COMMAND SYSTEM—MIP .......................................................................................
TACTICAL CRYPTOLOGIC SYSTEMS .......................................................................................
SPECIAL APPLICATIONS PROGRAM ........................................................................................
SUBTOTAL, SYSTEM DEVELOPMENT & DEMONSTRATION .....................................................

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103,199
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17,785
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7,686
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9,443
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89,711
632,092
7,778
25,898
247,929
103,199
998
17,785
35,905
6,161,092

MANAGEMENT SUPPORT
THREAT SIMULATOR DEVELOPMENT ....................................................................................
TARGET SYSTEMS DEVELOPMENT .........................................................................................
MAJOR T&E INVESTMENT ........................................................................................................
JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION ...........................................
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CENTER FOR NAVAL ANALYSES .............................................................................................
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TECHNICAL INFORMATION SERVICES ....................................................................................
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STRATEGIC TECHNICAL SUPPORT ..........................................................................................
RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT .............................................................
RDT&E SHIP AND AIRCRAFT SUPPORT ..................................................................................
TEST AND EVALUATION SUPPORT .........................................................................................
OPERATIONAL TEST AND EVALUATION CAPABILITY ..........................................................
NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT ...............................................
SEW SURVEILLANCE/RECONNAISSANCE SUPPORT ..............................................................
MARINE CORPS PROGRAM WIDE SUPPORT ............................................................................
SUBTOTAL, MANAGEMENT SUPPORT .......................................................................................

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13,649
955,955

30,769
112,606
61,234
6,995
4,011
48,563
5,000
925
78,143
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76,948
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OPERATIONAL SYSTEMS DEVELOPMENT
STRATEGIC SUB & WEAPONS SYSTEM SUPPORT ..................................................................
SSBN SECURITY TECHNOLOGY PROGRAM .............................................................................
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SURFACE SUPPORT ...................................................................................................................
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INTEGRATED SURVEILLANCE SYSTEM .................................................................................
AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT) ..................................
GROUND/AIR TASK ORIENTED RADAR (G/ATOR) ...................................................................
CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT .........................................................
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HARM IMPROVEMENT ...............................................................................................................
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SURFACE ASW COMBAT SYSTEM INTEGRATION ...................................................................
MK–48 ADCAP ..............................................................................................................................
Accelerate torpedo upgrades .....................................................................................................
AVIATION IMPROVEMENTS ......................................................................................................
OPERATIONAL NUCLEAR POWER SYSTEMS ..........................................................................
MARINE CORPS COMMUNICATIONS SYSTEMS .......................................................................
COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S) ........................................
MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS ......................................
MARINE CORPS COMBAT SERVICES SUPPORT ......................................................................
USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP) ..........................................

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9,443
32,469
537,901
504,736

16,569
18,632
133,265
62,867
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13,152


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**TOTAL RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY**

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**ADVANCED TECHNOLOGY DEVELOPMENT**

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**ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES**

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**OPERATIONALLY RESPONSIVE SPACE**

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Increase to match previous year funding level

Authorized: 1,217,342

Senate: 1,207,342

Increase/Decrease: (10,000)
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**SYSTEM DEVELOPMENT & DEMONSTRATION**

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**MANAGEMENT SUPPORT**

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**OPERATIONAL SYSTEMS DEVELOPMENT**

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Three program increases

1. CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT
2. DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM
3. JOINT MUNITIONS TECHNOLOGY

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Three program increases

1. JOINT MUNITIONS TECHNOLOGY
2. CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM
3. ADVANCED RESEARCH

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Three program increases

1. CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM
2. DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM
3. EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT

Three program increases

1. JOINT MUNITIONS TECHNOLOGY
2. CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM
3. ADVANCED RESEARCH

Total RESEARCH, DEVELOPMENT, TEST & EVALUATION

- **Total Proposed:** $26,473,669
- **Total Authorized:** $25,940,179

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Three program increases

1. CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM
2. DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM
3. EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT

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Three program increases

1. CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM
2. DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM
3. EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT

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Three program increases

1. CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM
2. DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM
3. EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT

<table>
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Three program increases

1. CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM
2. DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM
3. EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT

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Total RESEARCH, DEVELOPMENT, TEST & EVALUATION

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- **Total Authorized:** $1,721,578
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ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES

71 0603161D8Z NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADVANCED PROGRAMS | 31,710 | 31,710 |
72 0603606D8Z WALKOFF | 90,567 | 90,567 |
73 0603714D8Z ADVANCED SENSORS APPLICATION PROGRAM | 15,900 | 19,900 |
74 0603851D8Z ENVIROMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM | [4,000] | [4,000] |
75 0603881A BALLISTIC MISSILE TERMINAL DEFENSE SEGMENT | 228,021 | 228,021 |
76 0603882C BALLISTIC MISSILE MIDCOURSE DEFENSE SEGMENT | 1,284,891 | 1,284,891 |
77 0603884BP CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEMINING | 72,866 | 72,866 |
78 0603889C MILE DEFENCE SYSTEMS SPACE PROGRAMS | 23,289 | 23,289 |
79 0603896C BALLISTIC MISSILE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATIONS | 450,085 | 450,085 |
80 0603898C BALLISTIC MISSILE DEFENSE JOINT WARRIERTING SUPPORT | 49,570 | 49,570 |
81 0603904C MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC) | 49,211 | 49,211 |
82 0603906C REGARDING TRENCH | 9,583 | 9,583 |
83 0603907C SEA BASED X-BAND RADAR (SBRX) | 72,866 | 72,866 |
84 0603913C ISRAELI COOPERATIVE PROGRAMS | 102,765 | 102,765 |
85 0603927D8Z QUICK REACTION SPECIAL PROJECTS | 90,500 | 70,500 |
86 0603826D8Z SENSOR TECHNOLOGY | 79,021 | 79,021 |
87 0603711D8Z MILITARY TECHNOLOGY DEVELOPMENT AND INFRASTRUCTURE | 79,307 | 79,307 |

SYSTEM DEVELOPMENT AND DEMONSTRATION

116 0604161D8Z NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD | 8,800 | 8,800 |
117 0604165D8Z PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT | 78,817 | 88,817 |
118 0603483R CPFS development and flight test | [10,000] | [10,000] |
119 0603764K ADVANCED IT SERVICES JPTO PROGRAM OFFICE (AITS-JPTO) | 303,647 | 303,647 |
120 0603771D8Z JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTDIS) | 14,285 | 14,285 |
121 0603800B WEAPONS OF MASS DESTRUCTION DEFUSE CAPABILITIES | 7,156 | 7,156 |
122 0603816U SOFTWARE ENGINEERING INSTITUTE | 12,542 | 12,542 |
123 0603821E HOMELAND PERSONNEL SECURITY INITIATIVE | 191 | 191 |
124 0603822D8Z DEFENSE EXPORTABILITY PROGRAM | 3,273 | 3,273 |
125 0603827D8Z OSD/C IT DEVELOPMENT INITIATIVES | 5,962 | 5,962 |
126 0603831D8Z DEPARTMENT OF DEFENSE AND DEMONSTRATION INITIATIVES | 13,412 | 13,412 |
127 0603857D8Z DCMO POLICY AND INTEGRATION | 2,223 | 2,223 |
128 0603858D8Z DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM | 31,660 | 31,660 |

**SUBTOTAL, ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES** | **6,816,554** | **7,016,554**
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**MANAGEMENT SUPPORT**

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**OPERATIONAL SYSTEM DEVELOPMENT**

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**SUBTOTAL, OPERATIONAL SYSTEMS DEVELOPMENT**  4,538,910  4,561,117

**UNDISTRIBUTED**

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**TOTAL OPERATIONAL TEST & EVAL, DEFENSE**  170,558  170,558

**TOTAL RDT&E**  69,784,963  70,891,640

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**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.**

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**TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY**  1,500  1,500

**RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY**

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**TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY**  35,747  35,747

**RESEARCH, DEVELOPMENT, TEST & EVAL, AF**

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**RESEARCH, DEVELOPMENT, TEST & EVAL, DW**

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**TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW**  187,087  187,087

**TOTAL RDT&E**  191,434  191,434

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**TITLE XLIII—OPERATION AND MAINTENANCE**

**SEC. 4301. OPERATION AND MAINTENANCE.**
## SEC. 4301. OPERATION AND MAINTENANCE, ARMY

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### TOTAL OPERATION & MAINTENANCE, ARMY

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### UNDISTRIBUTED

- **xx UNDISTRIBUTED FOREIGN CURRENCY ADJUSTMENT**: 0
- **xxx UNDISTRIBUTED BULK FUEL SAVINGS**: 0
- **Bulk fuel savings**: 0

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### CONGRESSIONAL RECORD — SENATE

June 2, 2015
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### SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

#### (In Thousands of Dollars)

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### ADMIN & SRWIDE ACTIVITIES

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### TOTAL OPERATION & MAINTENANCE, ARMY

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### OPERATION & MAINTENANCE, ARMY RES OPERATING FORCES

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### ADMIN & SRWIDE ACTIVITIES

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### SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

(In Thousands of Dollars)

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### Title XLV—Military Personnel

**SEC. 4401. MILITARY PERSONNEL.

(In Thousands of Dollars)

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**SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

(In Thousands of Dollars)

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SEC. 4501. OTHER AUTHORIZATIONS

(Items in Thousands of Dollars)

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<th>Item</th>
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## SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

### DEFENSE HEALTH PROGRAM

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<thead>
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<td>020</td>
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### PROCUREMENT

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<td>PROC REPLACEMENT &amp; MODERNIZATION</td>
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### TOTAL DEFENSE HEALTH PROGRAM

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### TOTAL OTHER AUTHORIZATIONS

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## SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

### WORKING CAPITAL FUND

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### TOTAL WORKING CAPITAL FUND

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### DRUG INTERDICTIO & CTR-DRUG ACTIVITIES, DEF

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### TOTAL, DRUG INTERDICTIO & CTR-DRUG ACTIVITIES, DEF

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### OFFICE OF THE INSPECTOR GENERAL

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### TOTAL, OFFICE OF THE INSPECTOR GENERAL

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### DEFENSE HEALTH PROGRAM

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### SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

(In Thousands of Dollars)

<table>
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### TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

(In Thousands of Dollars)

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<th>State or Country and Installation</th>
<th>Project Title</th>
<th>Budget Request</th>
<th>Senate Authorized</th>
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<td>Concord</td>
<td>Pier</td>
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<td>MILCON, ARMY</td>
<td>Colorado</td>
<td>Fort Carson, Colorado</td>
<td>Rotary Wing Taxiway</td>
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<td>Georgia</td>
<td>Fort Gordon</td>
<td>Command and Control Facility</td>
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<td>MILCON, ARMY</td>
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<td>Grafenwoehr</td>
<td>Vehicle Maintenance Shop</td>
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<td>MILCON, ARMY</td>
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<td>Unaccompanied Personnel Housing</td>
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<td>MILCON, ARMY</td>
<td>Maryland</td>
<td>Fort Meade</td>
<td>Access Control Point-Reece Road</td>
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<td>MILCON, ARMY</td>
<td>Maryland</td>
<td>Fort Meade</td>
<td>Access Control Point-Mapes Road</td>
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<td>MILCON, ARMY</td>
<td>New York</td>
<td>Fort Drum, New York</td>
<td>NCO Academy Complex</td>
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<td>MILCON, ARMY</td>
<td>Oklahoma</td>
<td>U.S. Military Academy</td>
<td>Waste Water Treatment Plant</td>
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<td>Fort Sill</td>
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<td>Base San Antonio</td>
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<td>Homeland Defense Operations Center</td>
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**MIL CON, NAVY**

| MIL CON, NAVY | Arizona | Aircraft Maint. Facilities & Apron (So. CALA) | 50,635 | 50,635 |
| MIL CON, NAVY | Bahrain Island | Mina Salman Pier Replacement | 37,700 | 37,700 |
| MIL CON, NAVY | SW Asia | Ship Maintenance Support Facility | 52,091 | 52,091 |
| MIL CON, NAVY | California | Camp Pendleton, California Raw Water Pipeline Pendleton to Fallbrook | 44,540 | 0 |
| MIL CON, NAVY | California | Camp Pendleton, California Pendleton Ops Center | 0 | 25,000 |
| MIL CON, NAVY | Coronado | Coastal Campus Utilities | 4,856 | 4,856 |
| MIL CON, NAVY | Lemoore | F-35C Hangar Modernization and Addition | 56,497 | 56,497 |
| MIL CON, NAVY | Lemoore | F-35C Training Facilities | 8,187 | 8,187 |
| MIL CON, NAVY | Point Mugu | RTO and Mission Debrief Facility | 7,146 | 7,146 |
| MIL CON, NAVY | Miramar | KC-130J Enlisted Air Crew Trainer | 0 | 11,200 |
| MIL CON, NAVY | Point Mugu | E-2C/D Hangar Additions and Renovations | 19,453 | 19,453 |
| MIL CON, NAVY | Point Mugu | Triton Avionics and Fuel Systems Trainer | 2,974 | 2,974 |
| MIL CON, NAVY | San Diego | LCS Support Facility | 37,366 | 37,366 |
| MIL CON, NAVY | Twentynine Palms, California | Microgrid Expansion | 9,160 | 9,160 |
| MIL CON, NAVY | Florida | Fleet Support Facility Addition | 8,455 | 8,455 |
| MIL CON, NAVY | Jacksonville | Triton Mission Control Facility | 8,296 | 8,296 |
| MIL CON, NAVY | Mayport | LCS Mission Module Readiness Center | 16,159 | 16,159 |
| MIL CON, NAVY | Pensacola | A-School Unaccompanied Housing (Corry Station) | 18,347 | 18,347 |
| MIL CON, NAVY | Whiting Field | T-6B JPATS Training Operations Facility | 10,421 | 10,421 |
| MIL CON, NAVY | Georgia | Ground Source Heat Pumps | 7,851 | 7,851 |
| MIL CON, NAVY | Kings Bay | Industrial Control System Infrastructure | 8,099 | 8,099 |
| MIL CON, NAVY | Townsend | Townsend Bombing Range Expansion Phase 2 | 48,279 | 48,279 |
| MIL CON, NAVY | Guam | Joint Region Marianas Live-Fire Training Range Complex (NW Field) | 125,677 | 125,677 |
| MIL CON, NAVY | Joint Region Marianas | Municipal Solid Waste Landfill Closure | 10,777 | 10,777 |
| MIL CON, NAVY | Joint Region Marianas | Sanitary Sewer System Recapitalization | 45,314 | 45,314 |
| MIL CON, NAVY | Hawaii | PMRF Power Grid Consolidation | 30,623 | 30,623 |
| MIL CON, NAVY | Joint Base Pearl Harbor-Hickam | UEM Interconnect Sta C to Hickam | 6,335 | 6,335 |
| MIL CON, NAVY | Joint Base Pearl Harbor-Hickam | Welding School Shop Consolidation | 8,546 | 8,546 |
| MIL CON, NAVY | Kaneohe Bay | Airfield Lighting Modernization | 26,097 | 26,097 |
| MIL CON, NAVY | Kaneohe Bay | Bachelor Enlisted Quarters | 68,092 | 68,092 |
| MIL CON, NAVY | Kaneohe Bay | P-8A Detachment Support Facilities | 12,429 | 12,429 |
| MIL CON, NAVY | Mcb Hawaii | LHD Pad Conversions MV22 Landing Pads | 0 | 12,800 |

**Italy**
<table>
<thead>
<tr>
<th>Account</th>
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<th>Project Title</th>
<th>Budget Request</th>
<th>Senate Authorized</th>
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<td>MIL CON, NAVY</td>
<td>Sigonella</td>
<td>P-8A Hangar and Fleet Support Facility</td>
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<td>Sigonella</td>
<td>Triton Hangar and Operation Facility</td>
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<td>Japan</td>
<td>Camp Butler</td>
<td>Military Working Dog Facilities (Camp Hansen)</td>
<td>11,697</td>
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<td>MIL CON, NAVY</td>
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<td>MIL CON, NAVY</td>
<td>Yokosuka</td>
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<td>RedziKowo Base</td>
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MILCON, AIR FORCE

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SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

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**SUBTOTAL, MIL CON, DEF-WIDE** ............................................................................ 2,300,767 2,131,067

**MILCON, ARNG**

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## SEC. 4601. MILITARY CONSTRUCTION

(In Thousands of Dollars)

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**SUBTOTAL, MILCON, ARNG** ........................................................................................................... 197,237 248,537

**MILCON, ANG**

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### MILCON, ANG

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**SUBTOTAL, MILCON, ANG:** 123,538

### MILCON, ARMY R

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**SUBTOTAL, MILCON, ARMY R:** 113,595

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### FAMILY HOUSING

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**Inertial confinement fusion ignition and high yield**
- Ignition | 73,334 | 73,334 |
- Support of other stockpile programs | 22,843 | 22,843 |
- Diagnostics, cryogenics and experimental support | 56,587 | 56,587 |
- Pulsed power inertial confinement fusion | 4,963 | 4,963 |
- Joint program in high energy density laboratory plasmas | 8,900 | 8,900 |
- Facility operations and target production | 353,823 | 353,823 |

Total, Inertial confinement fusion and high yield | 502,450 | 502,450 |

Advanced simulation and computing | 623,006 | 623,006 |

Response Capabilities Program | 0 | 20,000 |

Supports flexible design capability for national labs | (20,000) |

**Advanced manufacturing**
- Component manufacturing development | 112,256 | 112,256 |
- Processing technology development | 17,800 | 17,800 |

Total, Advanced manufacturing | 1,776,503 | 1,806,503 |

**Total, RDT&E**

**Readiness in technical base and facilities (RTBF)**

**Operating**
- Program readiness | 75,185 | 75,185 |
- Material recycle and recovery | 173,859 | 173,859 |
- Storage | 40,820 | 40,820 |
- Recapitalization | 104,327 | 104,327 |

Total, Operating | 394,291 | 394,291 |

**Construction:**
- 15-D-302 TA-55 Reinvestment project, Phase 3, LANL | 18,195 | 18,195 |
- 11-D-801 TA-55 Reinvestment project Phase 2, LANL | 3,903 | 3,903 |
- 07-D-220 Radioactive liquid waste treatment facility upgrade project, LANL | 11,533 | 11,533 |
- 07-D-229-04 Transuranic liquid waste facility, LANL | 49,949 | 49,949 |
- 06-D-141 PED Construction, Uranium capabilities replacement project Y-12 | 430,000 | 430,000 |
- 04-D-125 Chemistry and metallurgy replacement project, LANL | 156,610 | 156,610 |

Total, Construction | 660,190 | 660,190 |

**Total, Readiness in technical base and facilities** | 1,054,481 | 1,054,481 |

**Secure transportation asset**
- Operations and equipment | 146,272 | 146,272 |
- Program direction | 105,338 | 105,338 |

Total, Secure transportation asset | 251,610 | 251,610 |

**Infrastructure and safety**

**Operations of facilities**
- Kansas City Plant | 100,250 | 100,250 |
- Lawrence Livermore National Laboratory | 70,671 | 70,671 |
- Los Alamos National Laboratory | 196,460 | 196,460 |
- Nevada National Security Site | 89,000 | 89,000 |
- Pantex | 58,021 | 58,021 |
- Sandia National Laboratory | 115,300 | 115,300 |
- Savannah River Site | 80,463 | 80,463 |
- Y-12 National security complex | 120,625 | 120,625 |

Total, Operations of facilities | 830,790 | 830,790 |

- Safety operations | 107,701 | 107,701 |
- Maintenance | 226,000 | 226,000 |
- Recapitalization | 257,724 | 407,724 |
- Increase to support deferred maintenance | (150,000) |

**Construction:**
- 16-D-621 Substation replacement at TA-3, LANL | 25,000 | 25,000 |
- 15-D-613 Emergency Operations Center, Y-12 | 17,919 | 17,919 |

Total, Construction | 42,919 | 42,919 |

**Total, Infrastructure and safety** | 1,466,134 | 1,616,134 |

**Site stewardship**
- Nuclear materials integration | 17,510 | 17,510 |
- Minority serving institution partnerships program | 19,085 | 19,085 |

Total, Site stewardship | 36,595 | 36,595 |

**Defense nuclear security**

**Operations and maintenance** | 619,891 | 619,891 |

**Construction:**
- 14-D-710 Device assembly facility argus installation project, NV | 13,000 | 13,000 |

Total, Defense nuclear security | 632,891 | 632,891 |

**Information technology and cybersecurity** | 157,588 | 157,588 |

**Legacy contractor pensions** | 283,887 | 283,887 |
SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

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<th>Senate Authorized</th>
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### SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(In Thousands of Dollars)

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SEC. 784. REQUIREMENT THAT CERTAIN SHIP COMPONENTS MANUFACTURED IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) ADDITIONAL PROCUREMENT LIMITA-

tion.—Section 2534(a) of title 10, United

States Code, is amended by adding at the end

the following paragraph:

"(6) COMPONENTS FOR AUXILIARY SHIPS.—

Subject to subsection (k), the following com-

ponents:

(A) Auxiliary equipment, including pumps,

for all shipboard services.

(B) Propulsion system components, in-

cluding engines, reduction gears, and propel-

lers.

(C) Shipboard cranes.

(D) Spreaders for shipboard cranes.

(b) IMPLEMENTATION.—Such section is fur-

ther amended by adding at the end the fol-

lowing new subsection:

"(k) IMPLEMENTATION OF AUXILIARY SHIP

COMPONENT LIMITATION.—Subsection (a)(6)

applies only with respect to contracts award-

ed on behalf of the Department of Defense

by the Secretary of the Navy for the Naval

Sea Systems Command under the National

Defense Sealift Fund programs or Ship-

Year 2016 using funds available for National

Defense Authorization Act for Fiscal Year

2016 after the date of the enactment of the


Year 2016 for military activities of the Depart-

ment of Defense and for military construc-

tion, 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 subsection E of title VIII, add

the following:

SEC. 721. ESTABLISHMENT OF STRATEGIC UNIFOR-

M FORMULARY FOR THE PROVISION OF HEALTH CARE SER-

VICES TO MEMBERS OF THE ARMED FORCES UNDERGOING SEPARATION FROM THE ARMED FORCES.

(a) In General.—Not later than 180 days

after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly make available to individuals undergoing the transition from the receipt of health care services through the Department of Defense to the receipt of such services through the Depart-

ment of Veterans Affairs certain drugs, par-

ticularly pain and psychiatric drugs, that

are critical to the Department of Defense

and the Department of Veterans Affairs

for the appropriate and effective provision

of health care services to such individuals.

(b) STRATEGIC UNIFORM FORMULARY.—In carry-

ing out subsection (a), the Secretary of De-

fense and the Secretary of Veterans Af-

fares shall jointly establish, and periodically

update, a strategic uniform formulary for the

Department of Defense and the Depart-

ment of Veterans Affairs that includes cer-

tain drugs, particularly pain and psychiatric

drugs, that the Secretary of Defense and the

Secretary of Veterans Affairs jointly deter-

mine are critical to the Department of De-

fense and the Department of Veterans Af-

fares for the appropriate and effective provi-

sion of health care services to individuals de-

scribed in such subsection.

(c) REPORT.—

(1) In General.—Not later than 180 days

after the date of the enactment of this Act, the Secretary of

Defense and the Secretary of Veterans Affairs shall jointly sub-

mit to the appropriate committees of Congress a report on the

establishment of the strategic uniform formulary under subsec-

tion (b).

(2) APPROPRIATE COMMITTEES OF CONGRESS

DEFINED.—In this subsection, the term "ap-

propriate committees of Congress" means—

(A) the Committee on Armed Services and the

Committee on Veterans Affairs of the Senate; and

(B) the Committee on Armed Services and the

Committee on Veterans Affairs of the House of Representa-

tives.

SA 1465. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. McCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, 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 718, strike "has emerged" on line 17.

SA 1466. Mr. McCAIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. McCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, 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 subsection G of title X, add the following:

SEC. 1005. MAKING PERMANENT SPECIAL EFFEC-

TIVE DATE FOR AWARDS OF DIS-

ABILITY COMPENSATION BY SEC-

RETARY OF DEFENSE OF CLAIMS FOR VETERANS WHO SUBMIT APPLICATIONS FOR ORIGINAL CLAIMS THAT ARE FULLY-DEVELOPED.

Section 5110(b)(2)(C) of title 38, United States Code, is amended by striking "and shall not apply with respect to claims filed after the date that is thirty days after the date of the enactment of such Act".

SEC. 1006. PROVISIONAL BENEFITS AWARDED BY SECRETARY OF VETERANS AFFAIRS FOR FULLY DEVELOPED CLAIMS PENDING FOR MORE THAN 180 DAYS.

(a) In General.—For each application for disability compensation that is filed for an individual with the Secretary, that sets forth an original claim that is fully-developed as determined by the Secretary as of the date of submission, and for which the Secretary has not made a decision, beginning on the date that is 180 days after the date on which such application is filed with the Secretary, the Secretary shall award the individual a provisional benefit under this section.

(b) PROVISIONAL BENEFITS ESTABLISHED.—A provisional benefit awarded pursuant to subsection (a) for a claim for disability compensation shall be for such monthly amount as the Secretary shall establish for each classification of disability claimed as the Secretary shall establish.

(c) RECOVERY.—Notwithstanding any other provision of law, the Secretary may recover a payment of a provisional benefit awarded under this section from payments made for the disability compensation awarded; or

(2) in a case in which the Secretary determines not to award the disability compensation for which the individual filed the application and the Secretary may only recover such provisional benefit by subtracting it from payments made for the disability compensation awarded; or

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 53 of such title is amended by inserting after the item relating to section 5319 the following new item:

"5319A. Provisional benefits awarded for fully developed claims pending for extended period.

(b) Provisional awards required.—For each application for disability compensation that is filed for an individual with the application and the application is filed with the Secretary, the Secretary shall award the individual a provisional benefit under this section.

"5319A. Provisional benefits awarded for fully developed claims pending for extended period.

SA 1467. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. McCAIN and intended to be proposed to amendment SA 1463 submitted by Mr. McCAIN and intended to be proposed to
the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 555. PILOT PROGRAM FOR IMPROVING ACCESSION TO HEALTHY FOODS AT MILITARY INSTALLATIONS.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense shall develop and carry out a pilot program to provide and test the efficacy of fruit and vegetable incentive programs in improving health outcomes, producing positive behavior change, and reducing diet-related diseases among members of the Armed Forces and their families.

(b) LOCATIONS.—The pilot program shall be established on not fewer than three military installations in fiscal year 2016, determined in conjunction with the Secretary of Defense and the Healthy Bases Initiative office.

(c) ACTIVITIES.—The pilot program shall include the following elements:

(1) Provision of incentives for preferable fresh fruits and vegetables at farmers markets, on post, and other food retail outlets on each military installation for enrolled patients and their family members.

(2) Provision of nutrition counseling for enrolled patients.

(3) Provision of appropriate medical care and testing for enrolled patients.

(d) COORDINATION.—In establishing and carrying out these pilot programs, the Secretary shall contract with an appropriate non-profit provider for technical assistance, data monitoring, and evaluation.

(e) REPORT.—Not later than two years after the date of enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on activities carried out under the pilot program.

SA 1469. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 2216, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 515. EDUCATIONAL ASSISTANCE TO ENLISTED MEMBERS IN THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) PROGRAMS OF ASSISTANCE AUTHORIZED.—Chapter 1611 of title 10, United States Code, is amended by adding at the end the following new section:

*§ 16402. National Guard and Reserves: educational assistance to encourage membership.

"(a) AUTHORITY.—Each Secretary of a military department may carry out a program to encourage membership in the reserve components of the armed forces under the jurisdiction of such Secretary through the provision of educational assistance to individuals who participate in such program in order to develop skills that are, or are anticipated to become, critical to one or more reserve components under the jurisdiction of such Secretary.

"(b) PARTICIPATION BY INDIVIDUALS BEFORE COMMISSIONMENT OF GRADE 12.—(1) An individual who is more than sixteen years of age may participate in a program under this section before commissioning to the grade of a four-year college or secondary school with the written consent of the individual’s parent or guardian (if the individual has a parent or guardian entitled to the custody and control of the individual).

"(2) An individual who participates in a program under this section pursuant to paragraph (1) shall be assigned an entry level and full training before commencing grade 12 in a secondary school.

"(c) ADMINISTRATION REQUIREMENTS.—In carrying out a program under this section, the Secretary of the military department shall—

"(1) establish and maintain a current list of the skills that are, or are anticipated to become, critical to one or more reserve components under the jurisdiction of such Secretary; and

"(2) prescribe academic and other performance standards to be met by individuals participating in the program.

"(d) PARTICIPATION AGREEMENT.—An individual who participates in a program under this section shall enter into a written agreement with the Secretary of the military department concerning—

"(1) to enlist in or accept an appointment as an officer in a reserve component of the armed forces;

"(2) to complete entry level and skill training (if enlisting) or entry level training and officer candidate school (if accepting appointment as an officer);

"(3) to pursue on a full-time basis a course of education—

"(A) leading to a bachelor’s or associate’s degree at an institution of higher education; or

"(B) that—

"(i) is offered by an institution of higher education; and

"(ii) upon completion, will provide the individual with a level of education that is similar to a course of education described in subparagraph (A), as determined pursuant to subsection (d)(2);

"(4) while pursuing a course of education under paragraph (3), to perform such active duty for training during periods between academic terms of the institution of higher education involved as such Secretary shall specify in the agreement; and

"(5) as provided in subsection (b) to serve in the reserve component of the armed forces specified in such agreement for two years for each academic year for which the individual receives educational assistance under this section.

"(e) AMOUNT OF EDUCATIONAL ASSISTANCE.—The amount of educational assistance provided to an individual pursuant to this section to an individual pursuing a course of education described in subsection (d)(3) during an academic year shall be the lesser of—

"(1) the maximum amount of in-state tuition and fees assessed during such academic year for programs of education leading to a bachelor’s degree by public institutions of higher education in the State where National Guard the individual is a member of or where the individual resides, as applicable; or

"(2) the amount of tuition and fees assessed during such academic year for such course of education by the institution of higher education providing such course of education.

"(f) PAYMENT OF EDUCATIONAL ASSISTANCE.—(1) The Secretary of the military department concerned shall pay educational assistance under this section to such Secretary to carry out a program under this section.

"(i) DEFINITIONS.—In this section:

"(1) the term ‘entry level and skill training’;

"(A) in the case of the members of the Army National Guard of the United States or the Secretary of Defense and for military construction, military activities of the Department of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy), or any law administered by the Secretary of Veterans Affairs.

"(2) Any service in the armed forces by an individual described in paragraph (1) while participating in a program under this section shall be treated as active duty for purposes of provisions of law referred to in that paragraph to the extent provided in such provisions of law.

"(2) The maximum number of months of educational assistance payable to an individual participating in a program under this section may not exceed the aggregate number of months of active duty service performed under title 32 U.S. Code for the payment of recruitment and retention bonuses and special pays shall be subject to the repayment provisions of section 373 of title 38.
Army Reserve, Basic Combat Training and Advanced Individual Training or One Station Unit Training.

"(b) In the case of members of the Navy Recruiting Training (or Boot Camp) and Skill Training (or so-called 'A School')."

"(c) In the case of members of the Air National Guard of the United States of the Air Force Reserve, Basic Military Training and Technical Training.

"(d) In the case of members of the Marine Corps Reserve, Recruit Training and Marine Corps Training (or School of Infantry Training).

"(2) The term ‘institution of higher education’ has the meaning given that term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)."

(b) Clerical Amendment. —The table of sections at the beginning of chapter 1611 of such title is amended by adding at the end the following new item:

"16602. National Guard and Reserves: educational assistance to encourage membership."

SA 1470. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. McCaskill to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

"16602. National Guard and Reserves: educational assistance to encourage membership."

SA 1471. Mr. BARRASSO submitted an amendment intended to be proposed by him pursuant to SA 1486, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes; which was ordered to lie on the table; as follows:

"16602. National Guard and Reserves: educational assistance to encourage membership."

TITLE I—INDIAN SELF-DETERMINATION

Sec. 101. Definitions; reporting and audit requirements; application of provisions.

Sec. 102. Contracts by Secretary of the Interior.

Sec. 103. Administrative provisions.

Sec. 104. Contract funding and indirect costs.

Sec. 105. Contract or grant specifications.

Sec. 106. Reporting and audit requirements; application of provisions.

Sec. 107. Effect of certain provisions.

TITLE II—TRIBAL SELF-GOVERNANCE

Sec. 201. Tribal self-governance.


TITLE I—INDIAN SELF-DETERMINATION

SEC. 101. DEFINITIONS; REPORTING AND AUDIT REQUIREMENTS; APPLICATION OF PROVISIONS.

(a) Definitions. — Section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) is amended by striking subsection (j) and inserting the following:

"(j) ‘self-determination contract’ means a contract entered into under title I (or a grant or cooperative agreement used under section 9) between a tribal organization and the appropriate Secretary for the planning, conduct, and administration of programs or services that are otherwise provided to Indian tribes and members of Indian tribes pursuant to Federal law, subject to the conditions in section 106(a)(3), no contract entered into under title I (or grant or cooperative agreement used under section 9) shall be—

"(1) considered to be a procurement contract; or

"(2) except as provided in section 106(a)(1), subject to any Federal procurement law (including regulations) and Executive orders in a manner that facilitates, to the maximum extent practicable—

"(1) the inclusion in self-determination contracts and funding agreements of—

"(A) applicable programs, services, functions, and activities (or portions thereof); and

"(B) funds associated with those programs, services, functions, and activities;

"(2) the implementation of self-determination contracts and funding agreements; and

"(3) the achievement of tribal health objectives;

"(q)(1) Technical Assistance for Internal Controls. — In considering proposals for amendments to, or in the course of a, contract under this title and compacts under titles IV and V of this Act, if the Secretary determines that the Indian tribe lacks adequate internal controls necessary to manage the contracted program or programs, the Secretary shall, as soon as practicable, provide the necessary technical assistance to assist the Indian tribe in developing adequate internal controls. As part of that technical assistance, the Secretary and the tribe shall develop a plan for assessing the subsequent effectiveness of such technical assistance. The inability of the Secretary to provide technical assistance or lack of a plan under this subsection shall not result in the re-assumption of an existing agreement, contract, or compact, or decline or rejection of a new agreement, contract, or compact.

"(2) The Secretary shall prepare a report to be included in the provision of technical assistance and implementation of the plan required by paragraph (1).

"(2) The Secretary shall prepare a report to be included in the provision of technical assistance and implementation of the plan required by paragraph (1).

"(2) The Secretary shall prepare a report to be included in the provision of technical assistance and implementation of the plan required by paragraph (1).

"(2) The Secretary shall prepare a report to be included in the provision of technical assistance and implementation of the plan required by paragraph (1)."

Sec. 102. Contracts by Secretary of the Interior.

Sec. 103. Administrative provisions.

Sec. 104. Contract funding and indirect costs.

Sec. 105. Contract or grant specifications.

Sec. 106. Reporting and audit requirements; application of provisions.

Sec. 107. Effect of certain provisions.
SEC. 201. TRIBAL SELF-GOVERNANCE.

(a) Definitions.—Section 401 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450l) is amended—

(1) in subsection (a)(2), by inserting “subject to subsections (a) and (b) of section 102,” before “contain”; and

(2) in subsection (c), by redesignating subparagraph (A) as subparagraph (B) and inserting after subparagraph (A) the following:

“(B) under a compact or funding agreement of the Indian tribe relating to a Federal program, function, service, or activity, or ‘construction project’ means a tribal unincorporated trust entity, or the Office of the Assistant Secretary for Indian Affairs, the Office of the Special Trustee for Indian Trust Funds, or the Office of Tribes;”.

(b) Establishment.—Section 402 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b) is amended to read as follows:

“SEC. 402. TRIBAL SELF-GOVERNANCE PROGRAM.

“(a) Establishment.—The Secretary shall establish and carry out a program within the Department to be known as the Tribal Self-Governance Program.

“(b) Selection of Participants.—Two or more Indian tribes that are not otherwise eligible Indian tribes and that are included in a funding agreement of the tribal organization shall be entitled to participate in the Tribal Self-Governance Program if—

(1) in general.—An Indian tribe that withdraws from participation in a tribal organization, in whole or in part, shall be entitled to participate in self-governance if the Indian tribe is eligible under subsection (c).

(2) Joint Participation.—Two or more eligible Indian tribes that are not otherwise eligible under subsection (c) may be treated as a single Indian tribe for the purpose of participating in self-governance.

(3) joint participation.—Two or more otherwise eligible Indian tribes and that are not otherwise eligible Indian tribes and that are included in a funding agreement of the tribal organization shall be treated as a single Indian tribe for the purpose of participating in self-governance.

(4) tribal withdrawal from a tribal organization.—

“A. In general.—An Indian tribe that withdraws from participation in a tribal organization, in whole or in part, shall be entitled to participate in self-governance if the Indian tribe is eligible under subsection (c).

(B) effect of withdrawal.—If an Indian tribe withdraws from participation in a tribal organization, the resulting self-determination contract shall be withdrawn by the Secretary from the tribal organization that signed the compact and funding agreement on behalf of the withdrawing Indian tribe or tribal organization, and the Secretary shall determine the date upon which the withdrawal shall become effective—

(aa) the date specified in the resolution of the withdrawing Indian tribe or tribal organization; or

(bb) such date as may be mutually agreed upon by the Secretary, the withdrawing Indian tribe, and the tribal organization that signed the compact and funding agreement on behalf of the withdrawing Indian tribe or tribal organization.

(E) Distribution of Funds.—If an Indian tribe or tribal organization eligible to enter into a self-determination contract under title I or a compact or funding agreement under this title fully or partially withdraws from participating in a tribal organization, the withdrawing Indian tribe—

(i) may elect to enter into a self-determination contract or compact, in which case—

(A) the withdrawing Indian tribe or tribal organization shall be entitled to its tribal share of unexpended funds and resources supporting the programs that the Indian tribe will be carrying out under its own self-determination contract or compact and funding agreement (calculated on the same basis as the funds were initially allocated to the funding agreement of the tribal organization); and

(B) the funds referred to in subparagraph (I) shall be withdrawn by the Secretary from the funding agreement of the tribal organization and transferred to the withdrawing Indian tribe, on the condition that sections 102 and 105(i), as appropriate, shall apply to the withdrawing Indian tribe; or

(ii) may elect not to enter into a self-determination contract or compact, in which case—

(A) the withdrawing Indian tribe or tribal organization shall not affect the eligible Indian tribes that are not otherwise eligible for self-governance and shall not affect the eligibility of the programs included in the withdrawal.

(B) the tribal organization that signed the compact and funding agreement of the tribal organization that is included in a funding agreement shall be returned by the withdrawing Indian tribe—

(A) the funding agreement of the tribal organization shall be returned by the tribal governing body; and

(B) the funding agreement of the tribal organization shall be returned to the Secretary.

(2) Funding Agreement.—In general.—A funding agreement entered into under this title shall include a statement that the Indian tribe or tribal organization shall not affect the eligibility of the programs included in the withdrawal.

(3) Dispute Resolution.—In general.—An Indian tribe may resolve disputes relating to the effects of withdrawal by entering into a funding agreement entered into under this title.

(4) Requirements.—In general.—An Indian tribe may enter into a self-determination contract or compact if the Secretary determines that the Indian tribe has met the requirements set forth in section 4(b).

(5) Participating in Self-Governance.—An Indian tribe—

(A) successfully complete the planning phase described in subsection (d); and

(B) request participation in self-governance by resolution or other official action by the tribal governing body; and

(C) demonstrate, for the fiscal years preceding the date on which the Indian tribe requests participation, financial stability and financial management capability as evidenced by an unqualified audit by the Indian tribe and the Secretary, and other evidence as the Secretary and the Indian tribe shall determine.
determination or self-governance agreements with any Federal agency.

‘‘(d) PLANNING PHASE.—

‘‘(1) IN GENERAL.—An Indian tribe seeking to begin participation in self-governance shall complete a planning phase as provided in this subsection.

‘‘(2) ACTIVITIES.—The planning phase shall—

‘‘(A) be conducted to the satisfaction of the Indian tribe; and

‘‘(B) include—

(i) legal and budgetary research; and

(ii) internal tribal government planning, training, and organizational preparation.

‘‘(e) GRANTS.—

‘‘(1) IN GENERAL.—Subject to the availability of appropriations, an Indian tribe for tribal organization that meets the requirements of paragraphs (2) and (3) of subsection (c) shall be eligible for grants—

‘‘(A) to plan for participation in self-governance; and

‘‘(B) to negotiate the terms of participation by the Indian tribe or tribal organization in self-governance, as set forth in a compact and a funding agreement.

‘‘(2) RECEIPT OF GRANT NOT REQUIRED.—Receipt of a grant under paragraph (1) shall not be a requirement of participation in self-governance.

‘‘(c) FUNDING AGREEMENTS.—Section 403 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458cc) is amended—

(1) by striking subsection (a) and inserting the following:

‘‘(a) AUTHORIZATION.—The Secretary shall, on the request of any Indian tribe or tribal organization, enter into a written funding agreement with the governing body of the Indian tribe or the tribal organization in a manner consistent with—

(i) the trust responsibility of the Federal Government, treaty obligations, and the government-to-government relationship between Indian tribes and the United States;

(ii) the provisions of paragraphs (2) and (3) of subsection (a); and

(iii) the requirements of this title.

(2) to negotiate a new funding agreement, for so long as permitted by Federal law, or

(3) by adding at the end the following:

‘‘(m) OTHER PROVISIONS.—

(1) EXCLUDED FUNDING.—A funding agreement shall—

(A) be provided under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.); or

(B) be provided for elementary and secondary education programs under section 1127 of the Education Amendment of 1978 (25 U.S.C. 2007).

(2) SERVICES, FUNCTIONS, AND RESPONSIBILITIES.—A funding agreement shall specify—

(A) the services to be provided under the funding agreement;

(B) the functions to be performed under the funding agreement; and

(C) the responsibilities of the Indian tribe and the Secretary under the funding agreement.

(3) BASE BUDGET.—A funding agreement shall, at the option of the Indian tribe, provide for a stable base budget specifying the recurring funds (which may include funds that the Indian tribe is withdrawing or transferring to the Indian tribe, for such period as the Indian tribe specifies in the funding agreement, subject to annual adjustment only to reflect changes in congressional appropriations.

(4) NO WAIVER OF TRUST RESPONSIBILITY.—A funding agreement shall not waive the trust responsibility of the Federal Government from waiving, modifying, or diminishing in any way the trust responsibility of the United States with respect to Indian tribes and individual Indians that exists under treaties, Executive orders, court decisions, and other laws.

(5) AMENDMENT.—The Secretary shall not, on the request of any Indian tribe or tribal organization, amend or alter an existing funding agreement without the consent of the Indian tribe, unless such terms are required by Federal law.

(6) EFFECTIVE DATE.—A funding agreement shall become effective on the date specified in the funding agreement.

(7) EXISTING AND SUBSEQUENT FUNDING AGREEMENTS.—

(1) SUBSEQUENT FUNDING AGREEMENTS.—Absent notification from an Indian tribe that the Indian tribe is withdrawing or transferring the operation of one or more programs identified in a funding agreement, or unless otherwise agreed to by the parties to the funding agreement, or by the nature of any noncontinuing program, service, function, or activity contained in a funding agreement, a funding agreement shall remain in full force and effect until such time as the Indian tribe participating in self-governance shall—

(A) subject to section 106(f), a funding agreement (in whole or in part) to the extent that the provisions of the compact are not directly contrary to any express provision of this title; or

(B) to negotiate a new compact in a manner consistent with this title.

(2) EXISTING FUNDING AGREEMENTS.—An Indian tribe that was participating in self-governance under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aa et seq.) is amended by striking sections 404 through 408 and inserting the following:

‘‘SEC. 404. COMPACTS.

‘‘(a) IN GENERAL.—The Secretary shall negotiate and enter into a written compact with each Indian tribe participating in self-governance in a manner consistent with the trust responsibility of the Federal Government, treaty obligations, and the government-to-government relationship between Indian tribes and the United States.

‘‘(b) CONTENTS.—A compact under subsection (a) shall—

(1) specify and affirm the general terms of the government-to-government relationship between the Indian tribe and the Secretary; and

(2) include such terms as the parties intend shall control during the term of the compact.

(3) AMENDMENT.—A compact under subsection (a) may be amended only by agreement of the parties.

(4) EFFECTIVE DATE.—The effective date of a compact under subsection (a) shall be—

(A) the date of execution of the compact by the parties; or

(B) such date as is mutually agreed upon by the parties.

(5) DURATION.—A compact under subsection (a) shall remain in effect—

(A) for so long as permitted by Federal law, or

(B) until termination by written agreement, retrocession, or reassignment.

(6) EXISTING COMPACTS.—An Indian tribe participating in self-governance under this title, as in effect on the date of enactment of the Department of the Interior Tribal Self-Governance Act of 2015, shall have the option at any time after that date—

(A) to retain its negotiated compact (in whole or in part) to the extent that the provisions of the compact are not directly contrary to any express provision of this title; or

(b) to negotiate a new compact in a manner consistent with this title.

‘‘SEC. 405. GENERAL PROVISIONS.

‘‘(a) APPLICABILITY.—An Indian tribe and the Secretary shall include in any compact or funding agreement provisions that reflect the requirements of this title.

‘‘(b) CONFLICTS OF INTEREST.—An Indian tribe participating in self-governance shall ensure that internal measures are in place to address any potential tribal law and procedures, conflicts of interest in the administration of programs.

‘‘(c) AUDITS.—

(1) SINGLE AGENCY AUDIT ACT.—Chapter 75 of title 31, United States Code, shall apply to a funding agreement under this title.

(2) COST PRINCIPLES.—An Indian tribe shall apply cost principles under the applicable Office of Management and Budget circular, except as modified by—

(A) any provision of law, including section 106(c); or

(B) any exemptions to applicable Office of Management and Budget circulars subsequently granted by the Office of Management and Budget.

‘‘(d) FEDERAL CLAIMS.—Any claim by the Federal Government against an Indian tribe relating to funds received under a funding agreement based on any audit under this subsection shall be subject to section 106(f).

‘‘(d) REDesign and CONSolidation.—Except as provided in section 407, an Indian tribe may redesign or consolidate programs or re-allocate funds for programs in any manner that the Indian tribe determines to be in the best interest of the Indian community being served, so long as that redesign or consolidation does not have the effect of denying eligibility for services to population

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groups otherwise eligible to be served under applicable Federal law, except that, with respect to the reallocation, consolidation, and redesign of programs described in subsection (b)(2), the Secretary may enter into a joint agreement between the Secretary and the Indian tribe shall be required.

"(e) Retrosession—
  "(1) IN GENERAL.—An Indian tribe may fully or partially retrocede to the Secretary any program under a compact or funding agreement.
  "(2) TRANSITION.—In the event of a retrocession, the Secretary shall not be deemed to have exercised its discretion unless—
    "(i) the earlier of—
      "(I) 1 year after the date on which the request is submitted; or
      "(II) the date on which the funding agreement expires; or
    "(ii) such date as may be mutually agreed upon by the Secretary and the Indian tribe.
  "(f) NONDISPLACEMENT.—A funding agreement shall provide that, for the period for which, and to the extent to which, funding is provided to an Indian tribe under this title, the Indian tribe—
    "(1) shall not be entitled to contract with the Secretary for funds under section 102, except that the Indian tribe shall be eligible for new programs on the same basis as other Indian tribes; and
    "(2) shall be responsible for the administration of programs in accordance with the compact or funding agreement.
  "(g) RECORDS.—
    "(1) IN GENERAL.—Either party to a compact or funding agreement may, for purposes of chapter 5 of title 5, United States Code.
    "(2) RECORDKEEPING SYSTEM.—An Indian tribe shall—
      "(A) maintain a recordkeeping system; and
      "(B) make a final offer to the Secretary.
  "(h) DETERMINATION.—Notwithstanding paragraph (1), the Secretary shall—
    "(1) IN GENERAL.—If the Secretary rejects the final offer, the final offer (or the lesser funding amount, if any), the Secretary shall make a determination with respect to the final offer.
    "(2) DETERMINATION.—Not more than 60 days after the date of receipt of a final offer by the Secretary, the Secretary shall make a determination with respect to the final offer.
    "(3) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian tribe and the Secretary.
  "(i) DESIGNATED OFFICIALS.—
    "(1) IN GENERAL.—The Secretary shall designate one or more appropriate officials in the Department to receive a copy of the final offer described in paragraph (1).
    "(2) NO DESIGNATION.—If no official is designated, the Secretary shall inform the Indian tribe thereof.
  "(j) NO TIMELY DETERMINATION.—Except as otherwise provided in section 202 of the Department of the Interior Tribal Self-Governance Act,” and any other law or regulation of the Department to receive a copy of the final offer described in paragraph (1), the Secretary shall—
    "(i) provide timely written notification to the Indian tribe that contains a specific finding that clearly demonstrates, or that is supported by a controlling legal authority, that—
      "(I) the amount of funds proposed in the final offer exceeds the applicable funding level as determined under section 106(a); and
      "(II) the program that is the subject of the final offer is an inherent Federal function or is subject to regulation by the Secretary under section 403(c).
    "(ii) provide technical assistance to overcome the objections stated in the notification required by clause (i); and
    "(iii) provide the Indian tribe with a hearing on the record to engage in full discovery relevant to any issue raised in the matter; and
    "(k) INABILITY TO AGREE ON COMPACT OR FUNDING AGREEMENT.—
      "(1) FINAL OFFER.—If the Secretary and an Indian tribe cannot agree on a compact or funding agreement, the Secretary shall—
        "(I) provide the Indian tribe with a copy of the final offer;
        "(II) provide technical assistance to the Indian tribe; and
        "(III) provide the Indian tribe with a hearing on the record.
      "(2) DETERMINATION.—Not more than 60 days after the date of receipt of a final offer by the Secretary, the Secretary shall make a determination with respect to the final offer.
    "(l) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian tribe and the Secretary.
  "(m) RETROCESSION.—
    "(1) IN GENERAL.—If the Secretary reconsiders and modifies a program or funding agreement, the Secretary shall—
      "(i) provide timely written notification to the Indian tribe that contains a specific finding that clearly demonstrates, or that is supported by a controlling legal authority, that—
        "(I) the amount of funds proposed in the final offer exceeds the applicable funding level as determined under section 106(a); and
        "(II) the program that is the subject of the final offer is an inherent Federal function or is subject to regulation by the Secretary under section 403(c).
      "(ii) provide technical assistance to overcome the objections stated in the notification required by clause (i); and
      "(iii) provide the Indian tribe with a hearing on the record to engage in full discovery relevant to any issue raised in the matter; and
    "(n) INABILITY TO AGREE ON COMPACT OR FUNDING AGREEMENT.—
      "(1) FINAL OFFER.—If the Secretary and an Indian tribe cannot agree on a compact or funding agreement, the Secretary shall—
        "(I) provide the Indian tribe with a copy of the final offer;
        "(II) provide technical assistance to the Indian tribe; and
        "(III) provide the Indian tribe with a hearing on the record.
      "(2) DETERMINATION.—Not more than 60 days after the date of receipt of a final offer by the Secretary, the Secretary shall make a determination with respect to the final offer.
    "(o) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian tribe and the Secretary.
  "(p) DESIGNATED OFFICIALS.—
    "(1) IN GENERAL.—The Secretary shall—
      "(i) provide timely written notification to the Indian tribe that contains a specific finding that clearly demonstrates, or that is supported by a controlling legal authority, that—
        "(I) the amount of funds proposed in the final offer exceeds the applicable funding level as determined under section 106(a); and
        "(II) the program that is the subject of the final offer is an inherent Federal function or is subject to regulation by the Secretary under section 403(c).
      "(ii) provide technical assistance to overcome the objections stated in the notification required by clause (i); and
      "(iii) provide the Indian tribe with a hearing on the record to engage in full discovery relevant to any issue raised in the matter; and
    "(q) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian tribe and the Secretary.
  "(r) RETROCESSION.—
    "(1) IN GENERAL.—If the Secretary reconsiders and modifies a program or funding agreement, the Secretary shall—
      "(i) provide timely written notification to the Indian tribe that contains a specific finding that clearly demonstrates, or that is supported by a controlling legal authority, that—
        "(I) the amount of funds proposed in the final offer exceeds the applicable funding level as determined under section 106(a); and
        "(II) the program that is the subject of the final offer is an inherent Federal function or is subject to regulation by the Secretary under section 403(c).
      "(ii) provide technical assistance to overcome the objections stated in the notification required by clause (i); and
      "(iii) provide the Indian tribe with a hearing on the record to engage in full discovery relevant to any issue raised in the matter; and
    "(s) INABILITY TO AGREE ON COMPACT OR FUNDING AGREEMENT.—
      "(1) FINAL OFFER.—If the Secretary and an Indian tribe cannot agree on a compact or funding agreement, the Secretary shall—
        "(I) provide the Indian tribe with a copy of the final offer;
        "(II) provide technical assistance to the Indian tribe; and
        "(III) provide the Indian tribe with a hearing on the record.
      "(2) DETERMINATION.—Not more than 60 days after the date of receipt of a final offer by the Secretary, the Secretary shall make a determination with respect to the final offer.
    "(t) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian tribe and the Secretary.
  "(u) DESIGNATED OFFICIALS.—
    "(1) IN GENERAL.—The Secretary shall—
      "(i) provide timely written notification to the Indian tribe that contains a specific finding that clearly demonstrates, or that is supported by a controlling legal authority, that—
        "(I) the amount of funds proposed in the final offer exceeds the applicable funding level as determined under section 106(a); and
        "(II) the program that is the subject of the final offer is an inherent Federal function or is subject to regulation by the Secretary under section 403(c).
      "(ii) provide technical assistance to overcome the objections stated in the notification required by clause (i); and
      "(iii) provide the Indian tribe with a hearing on the record to engage in full discovery relevant to any issue raised in the matter; and
    "(v) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian tribe and the Secretary.
  "(w) RETROCESSION.—
    "(1) IN GENERAL.—If the Secretary reconsiders and modifies a program or funding agreement, the Secretary shall—
      "(i) provide timely written notification to the Indian tribe that contains a specific finding that clearly demonstrates, or that is supported by a controlling legal authority, that—
        "(I) the amount of funds proposed in the final offer exceeds the applicable funding level as determined under section 106(a); and
        "(II) the program that is the subject of the final offer is an inherent Federal function or is subject to regulation by the Secretary under section 403(c).
      "(ii) provide technical assistance to overcome the objections stated in the notification required by clause (i); and
      "(iii) provide the Indian tribe with a hearing on the record to engage in full discovery relevant to any issue raised in the matter; and
    "(x) INABILITY TO AGREE ON COMPACT OR FUNDING AGREEMENT.—
      "(1) FINAL OFFER.—If the Secretary and an Indian tribe cannot agree on a compact or funding agreement, the Secretary shall—
        "(I) provide the Indian tribe with a copy of the final offer;
        "(II) provide technical assistance to the Indian tribe; and
        "(III) provide the Indian tribe with a hearing on the record.
      "(2) DETERMINATION.—Not more than 60 days after the date of receipt of a final offer by the Secretary, the Secretary shall make a determination with respect to the final offer.
    "(y) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian tribe and the Secretary.
  "(z) DESIGNATED OFFICIALS.—
    "(1) IN GENERAL.—The Secretary shall—
      "(i) provide timely written notification to the Indian tribe that contains a specific finding that clearly demonstrates, or that is supported by a controlling legal authority, that—
        "(I) the amount of funds proposed in the final offer exceeds the applicable funding level as determined under section 106(a); and
        "(II) the program that is the subject of the final offer is an inherent Federal function or is subject to regulation by the Secretary under section 403(c).
      "(ii) provide technical assistance to overcome the objections stated in the notification required by clause (i); and
      "(iii) provide the Indian tribe with a hearing on the record to engage in full discovery relevant to any issue raised in the matter; and
    "(a) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian tribe and the Secretary.
  "(AA) IN GENERAL.—The Secretary may not waive, modify, or diminish in any way the trust responsibility of the Secretary.
United States with respect to Indian tribes and individual Indians that exist under treaties, Executive orders, other laws, or court decisions.

(2) REQUIREMENTS.—For each construction project carried out by an Indian tribe under this title, the Indian tribe and the Secretary shall negotiate a provision to be included in the funding agreement that identifies—

(A) the approximate start and completion dates for the project, which may extend over a period of one or more years;

(B) a general description of the project, including the scope of work, references to design criteria, and other terms and conditions;

(C) the responsibilities of the Indian tribe and the Secretary for the project;

(D) how project-related environmental considerations shall be addressed; and

(E) the amount of funds provided for the project;

(F) the obligations of the Indian tribe to comply with the codes referenced in subsection (d)(1) and applicable Federal laws and regulations;

(G) the agreement of the parties over who will bear any additional costs necessary to meet changes in scope, or errors or omissions in design and construction; and

(H) the agreement of the Secretary to issue a certificate of occupancy, if requested by the Indian tribe, based upon the review and verification by the Secretary, to the satisfaction of the Secretary, that the Indian tribe has secured upon completion the review and approval of the plans and specifications, sufficiency of design, life safety, and code compliance by qualified, licensed, and independent architects and engineers.

(3) FUNDING.—

(a) IN GENERAL.—Funding appropriated for construction projects carried out under this title shall be included in funding agreements as annual or semiannual advance payments at the option of the Indian tribe.

(b) ADVANCE PAYMENTS.—The Secretary shall include all associated project contingency funds with each advance payment, and the Indian tribe shall be responsible for the management of such contingency funds.

(c) NEGOTIATIONS.—At the option of the Indian tribe, construction project funding proposals shall be negotiated pursuant to the statutory process in section 108, and any resulting construction project agreement shall be incorporated into the funding agreement as an addendum.

(d) FEDERAL REVIEW AND VERIFICATION.—

(1) IN GENERAL.—Pursuant to the terms of the Tribal Self-Governance Act of 2015, in any instance in which a funding agreement for programs in an amount that is equal to the amount that the Indian tribe would have been entitled to receive under contracts and grants under this Act (including amounts for direct program and contract support costs and, in addition, all funds that are specifically and individually related to the provision by the Secretary of services and benefits to the Indian tribe or its members) without regard to the level of any Federal obligation, an advance payment shall provide for an advance annual payment to the Indian tribe equal to the amount that the Indian tribe would have been entitled to receive under contracts and grants under this Act (including amounts for direct program and contract support costs) and, in addition, all funds that are specifically and individually related to the provision by the Secretary of services and benefits to the Indian tribe or its members) without regard to the level of any Federal obligation.

(2) AVAILABILITY.—Funds for trust services to individual Indians shall be available under a funding agreement only to the extent that the same services that would have been provided by the Secretary are provided to individual Indians by the Indian tribe.

(3) LIMITATIONS ON AUTHORITY OF THE SECRETARY.—The Secretary—

(a) may not carry out a construction project under this title, an Indian tribe shall assume responsibility for the successful completion of the construction project and for a procedure that is special for the purpose for which the Indian tribe received funding;

(b) may be made or paid;

(c) may be made or paid;

(d) may be made or paid;

(e) may be made or paid;

(f) may be made or paid;

(g) may be made or paid;

(h) may be made or paid;

(i) may be made or paid;

(j) may be made or paid;

(k) may be made or paid;

(l) may be made or paid;

(m) may be made or paid;

(n) may be made or paid;

(o) may be made or paid;

(p) may be made or paid;

(q) may be made or paid;

(r) may be made or paid;

(s) may be made or paid;

(t) may be made or paid;

(u) may be made or paid;

(v) may be made or paid;

(w) may be made or paid;

(x) may be made or paid;

(y) may be made or paid;

(z) may be made or paid;
“(2) withhold any portion of such funds for transfer over a period of years; or

“(3) reduce the amount of funds required under this title—

“(A) by making funding available for self-governance monitoring or administration by the Secretary; or

“(B) in subsequent years, except as necessary as a result of—

“(i) a reduction in appropriations from the previous fiscal year for the program to be included in a compact or funding agreement;

“(ii) congressional directive in legislation or an accompanying report;

“(iii) a tribal authorization;

“(iv) a change in the amount of pass-through funds provided to the terms of the funding agreement; or

“(v) completion of an activity under a program for which the funds were provided;

“(C) to pay for Federal functions, including—

“(i) Federal pay costs;

“(ii) Federal employee retirement benefits;

“(iii) technical assistance; and

“(iv) monitoring of activities under this title; or

“(D) to pay for costs of Federal personnel displaced by self-determination contracts under this Act or self-governance under this title.

“(h) FEDERAL RESOURCES.—If an Indian tribe elects to carry out a compact or funding agreement with the use of Federal personnel and resources available to the Secretary under any procurement contracts in which the Department is eligible to participate, the Secretary shall, as soon as practicable, acquire and transfer such personnel, supplies, or resources to the Indian tribe under this title.

“(1) PROMPT PAYMENT ACT.—Chapter 39 of title 31, United States Code, shall apply to the transfer of funds due under a compact or funding agreement authorized under this title.

“(2) INTEREST OR OTHER INCOME.—

“(1) IN GENERAL.—An Indian tribe may retain interest or income earned on any funds paid under a compact or funding agreement to carry out governmental purposes.

“(2) NO EFFECT ON OTHER AMOUNTS.—The provisions of this subsection shall not diminish the amount of funds an Indian tribe is entitled to receive under this Act or self-governance under this title.

“(3) DISTRIBUTION OF FUNDS.—The Office of Self-Governance shall be responsible for distribution of all Bureau of Indian Affairs funds provided under this title unless otherwise agreed by the parties to an applicable funding agreement.

“(4) APPLICATION.—Notwithstanding any other provision of law, the Secretary shall implement this section in a manner that—

“(1) the inclusion of programs in funding agreements;

“(2) the implementation of funding agreements.

“(b) REGULATION WAIVER.—

“(1) REQUEST.—An Indian tribe may submit to the Secretary a written request for a waiver of applicability of a Federal regulation, including—

“(A) an identification of the specific text in the regulation sought to be waived; and

“(B) the basis for the request.

“(2) DETERMINATION BY THE SECRETARY.—Not later than 120 days after receipt by the Secretary and the designated officials under subparagraph (A) of a request under paragraph (1), the Secretary shall approve or deny the requested waiver in writing to the Indian tribe.

“(3) EXTENSIONS.—The deadline described in paragraph (2) may be extended for any length of time, as agreed upon by both the Indian tribe and the Secretary.

“(4) DESIGNATED OFFICIALS.—The Secretary shall designate one or more appropriate officials in the Department to receive a copy of the waiver request described in paragraph (1).

“(5) GROUNDS FOR DENIAL.—The Secretary may deny a request under paragraph (1)—

“(1) if the tribe is not entitled to receive a funding agreement under section 102 or any other applicable Federal law;

“(2) if the tribe fails to comply with any applicable Federal law; or

“(3) if the waiver request is a program explicitly prohibited by the tribe.

“(6) FAILURE TO MAKE DETERMINATION.—If the Secretary fails to approve or deny a request within the period required under paragraph (2), the Secretary shall be deemed to have approved the request.

“(7) FINALITY.—A decision of the Secretary under this section shall be final for the Department.

“SEC. 410. DISCLAIMERS.

“(a) IN GENERAL.—Except as otherwise provided in section 301(c), at the option of a participating Indian tribe or Indian tribes, any of the provisions of title I may be incorporated in any compact or funding agreement under this title.

“(b) EFFECT.—Each incorporated provision under subsection (a) shall—

“(1) have the same force and effect as if set out in full in this title;

“(2) supplement or replace any related provision in this title; and

“(3) apply to any agency otherwise governed by this title.

“(c) EFFECTIVE DATE.—If an Indian tribe requests incorporation at the negotiation stage of a compact or funding agreement, the incorporation shall—

“(1) be effective immediately; and

“(2) control the negotiation and resulting compact and funding agreement.

“SEC. 412. ANNUAL BUDGET LIST.

“The Secretary shall list, in the annual budget request submitted to Congress under section 1105 of title 31, United States Code, any funds proposed to be included in funding agreements authorized under this Act.

“SEC. 413. REPORTS.

“(a) IN GENERAL.—On January 1 of each year, the Secretary shall submit to Congress a report regarding the administration of this title.

“(b) ANALYSIS.—Any Indian tribe may submit to the Office of Self-Governance and to the appropriate Committees of Congress a detailed annual analysis of unmet tribal needs for funding agreements under this title.

“(c) CONTENTS.—The report under subsection (a)(1) shall—

“(1) be compiled from information contained in funding agreements, annual audit reports, and data of the Secretary regarding the disposition of Federal funds;

“(2) identify—

“(A) the relative costs and benefits of self-governance;

“(B) with particularity, all funds that are specifically or functionally related to the provision by the Secretary of services and benefits to self-governance Indian tribes and members of Indian tribes;

“(C) the funds transferred to each Indian tribe and the corresponding reduction in the Federal employees and workload; and

“(D) the funding formula for individual tribes, the Federal law on which it is based, and any changes in the formula;

“(3) before being submitted to Congress, be distributed to the Indian tribes for comment (with a comment period of no less than 30 days);
“(4) include the separate views and comments of each Indian tribe or tribal organization; and
“(5) include a statement:
“(A) that the programs or activities for which funds are transferred are programs or activities determined by the Secretary in consultation with Indian tribes that are subject to a self-determination contract entered into under section 102 of the ISDEAA (25 U.S.C. 450f).

(6) TRIBAL WATER RIGHTS SETTLEMENT—
The term ‘tribal water rights settlement’ means any settlement, compact, or other agreement expressly ratified or approved by an Act of Congress that—
(A) includes an Indian tribe and the United States as parties; and
(B) quantifies or otherwise defines any water right of the Indian tribe.

(b) Effect of Provisions.—Nothing in this Act—
(1) modifies, limits, expands, or otherwise affects—
(A) the authority of the Secretary, as provided under the ISDEAA or otherwise, to promulgate regulations under section 414; or
(B) any regulation that is inconsistent with this Act;
(2) modifies or otherwise affects the meaning, application, or effect of any provision of law that—
(A) is not contained in the ISDEAA; and
(B) expressly authorizes or prohibits contracting or compacting under title I or title IV of the ISDEAA with respect to a specific program or project that is identified or otherwise referred to in that provision of law;
(3) modifies or otherwise affects the meaning, application, or effect of, or the performance required of a party to, any payment or funding under a tribal water rights settlement; or
(4) authorizes any self-determination contract or funding agreement that contains one or more provisions that are inconsistent with the terms of a tribal water rights settlement.

SA 1472. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. McCaIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe the 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 VIII, add the following:

SEC. 884. EXCEPTION FOR ABILITYONE GOODS FROM MANUFACTURED IN AFGHANISTAN, CENTRAL ASIAN STATES, AND SUBDUIT.
(a) EXCLUSION OF CERTAIN ITEMS NOT MANUFACTURED IN AFGHANISTAN.—Section 886 of the National Defense Authorization Act for Fiscal Year 2008 (10 U.S.C. 2302 note) is amended—
(1) in subsection (a), by inserting “except as provided in subsection (d),” after “subsection (b),”; and
(2) by adding at the end the following new subsection:
“(d) EXCLUSION OF ITEMS ON THE ABILITYONE PROCUREMENT CATALOG.—The requirements of this section shall not apply to any good that is contained in the procurement catalog described in section 8593(a) of title 41.”
(b) EXCLUSION OF CERTAIN ITEMS NOT MANUFACTURED IN CENTRAL ASIAN STATES.—Section 801 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) is amended—

(1) in subsection (a), by inserting “and except as provided in subsection (b),” after “subsection (b);” and

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

“(b) EXCLUSION OF ITEMS ON THE ABILITYONE PROCUREMENT CATALOG.—The requirements of this section shall not apply to any good that is contained in the procurement catalog described in section 8503(a) of title 10.”

(c) EXCLUSION OF CERTAIN ITEMS NOT MANUFACTURED IN DJIBOUTI.—Section 1263 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3581) is amended—

(1) in subsection (b), by inserting “and except as provided in subsection (g),” after “subsection (c);” and

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

“(g) EXCLUSION OF ITEMS ON THE ABILITYONE PROCUREMENT CATALOG.—The requirements of this section shall not apply to any good that is contained in the procurement catalog described in section 8503(a) of title 10.”

SA 1473. Mr. VITTEN submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriation for fiscal year 2016 for military activities of the Department of Defense and for military construction, 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 33, line 12, insert after “FIGHTER AIRCRAFT” the following: “AND ARMY COMBAT UNITS.”

On page 43, between lines 3 and 4, insert the following:

(e) MINIMUM NUMBER OF ARMY BRIGADE COMBAT TEAMS.—Section 3062 of title 10, United States Code, as amended by adding at the end the following new subsection:

“(e)(1) Effective October 1, 2015, the Secretary of the Army shall maintain a total number of brigade combat teams for the regular and reserve components of the Army of not fewer than 32 brigade combat teams.

“(2) In this subsection, the term ‘brigade combat team’ means any unit that consists of—

“(A) an arms branch maneuver brigade;

“(B) its assigned support units; and

“(C) its assigned fire teams.”

(f) LIMITATION ON ELIMINATION OF ARMY BRIGADE COMBAT TEAMS.—

(1) The Secretary of the Army may not proceed with any decision to reduce the number of brigade combat teams for the regular Army to fewer than 32 brigade combat teams.

(2) ADDITIONAL LIMITATION ON RETIREMENT.—The Secretary may not eliminate any brigade combat team from the brigade combat teams of the regular Army as of the date of the enactment of this Act until the later of the following:

(A) The date that is 30 days after the date on which the Secretary submits the report required under paragraph (3).

(B) The date that is 30 days after the date on which the Secretary certifies to the congressional defense committees that (i) the elimination of Army brigade combat teams will not increase the operational risk of meeting the National Defense Strategy; and (ii) the reduction of such combat teams does not reduce the total number of brigade combat teams that the Army to fewer than 32 brigade combat teams.

(3) REPORT ON ELIMINATION OF BRIGADE COMBAT TEAMS.—The Secretary shall submit to the congressional defense committees a report setting forth the following:

(A) The rationale for any proposed reduction of the total strength of the Army, including the National Guard and Reserves, below the strength provided in subsection (e) of section 3062 of title 10, United States Code (as amended by subsection (e) of this section), and an analysis of the total strength of the Army that demonstrates performance of the designated mission at an equal or greater level of effectiveness as the personnel of the Army so reduced.

(B) An assessment of the implications for the Army, the National Guard of the United States, and the Army Reserve of the force mix ratio of Army troop strengths and combat units after such reduction.

(C) Such other matters relating to the reduction of the total strength of the Army as the Secretary considers appropriate.

(g) ADDITIONAL REPORTS.—

(1) In general.—At least 90 days before the date on which the Secretary of the Army, including the National Guard and Reserves, is reduced below the strength provided in subsection (e) of section 3062 of title 10, United States Code (as amended by subsection (e) of this section), the Secretary of the Army, in consultation with (where applicable) the Director of the Army National Guard of the Unit of the Army Reserve, shall submit to the congressional defense committees a report on the reduction.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following:

(A) A list of each major combat unit of the Army that will remain after the reduction, organized by division and enumerated downward to the brigade combat team-level or its equivalent, including for each such brigade combat team—

(i) the mission it is assigned to; and

(ii) the assigned unit and military installation where it is based.

(B) A list of each brigade combat team proposed for disestablishment, including for each such unit—

(i) the mission it is assigned to; and

(ii) the assigned unit and military installation where it is based.

(C) A list of each unit affected by a proposed disestablishment listed under subparagraph (B) and a description of how such unit is affected.

(D) For each military installation and unit listed under subparagraph (B)(i), a description of changes, if any, to the designed operational capability (DOC) statement of the unit as a result of a proposed disestablishment.

(E) A description of any anticipated changes in manpower authorizations as a result of a proposed disestablishment listed under subparagraph (B).

SA 1474. Mr. COONS submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:—

Strike section 1204 and insert the following:

SEC. 1204. PERMANENCE AND MODIFICATION OF AUTHORITY RELATING TO NATIONAL GUARD STATE PARTNERSHIP PROGRAM.

(a) AUTHORITY.—Subsection (a)(1) of section 1205 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 897; 12 U.S.C. 107 note) is amended by adding at the end before the period the following:—

“and objectives of the United States, including applicable policy and guidelines for United States security sector assistance; and

(b) LIMITATION.—Subsection (b) of such section is amended by inserting ‘that is not’ after “an activity that the Secretary of Defense determines is a matter” after “an activity that the Secretary of Defense determines is a matter”.

(c) PROCEDURES.—Such section, as so amended, is further amended—

(1) by redesignating subsections (c) through (g) as subsections (d) through (h), respectively; and

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

“(h) PROCEDURES.—

“(1) IN GENERAL.—The Chief of the National Guard Bureau shall—

“(A) establish a mechanism, and update as appropriate a list of core competencies to support each program established under subsection (a), collectively and for each State and territory, and shall submit for approval to the Secretary of Defense the list of core competencies and additional information needed to make use of such core competencies; and

“(B) designate a director for each State and territory who shall be responsible for the coordination of activities under a program established under subsection (a) for such State or territory and reporting on activities under the program.

“(2) MILITARY-TO-CIVILIAN CORE COMPETENCIES.—The Secretary of Defense, with the concurrence of the Secretary of State, may conduct an activity under a program established under subsection (a) relating to military-to-civilian core competencies.

“(3) NATIONAL GUARD STATE PARTNERSHIP PROGRAM FUND.—Subsection (e) of such section (as redesignated) is amended by adding at the end the following:

“(5) NATIONAL GUARD STATE PARTNERSHIP PROGRAM FUND.—

“(A) ESTABLISHMENT.—

“(B) BOOKS OF TREASURY.—Except as provided in clause (i), the Secretary of Defense shall establish on the books of the Department of Defense a National Guard State Partnership Program Fund.

“(C) DEPOSITS.—In administering the Fund established under subparagraph (A), the Secretary shall, to the extent the Secretary determines it to be appropriate, provide for the crediting amounts to be credited to the Fund.

“(D) TRANSFERS.—In administering the Fund established under subparagraph (A), the Secretary shall, to the extent the Secretary determines it to be appropriate, provide for the following amounts to be credited to the Fund:

“(i) Amounts authorized and appropriated to carry out operations under this section.

“(ii) Amounts that the Secretary of Defense determines are to be credited to the Fund.
amounts authorized and appropriated to the Department of Defense, including amounts authorized to be appropriated for the Army National Guard and the Air National Guard. “(C) ANNUAL BUDGET.—The President shall include the Fund established under subparagraph (A) in the budget that the President submits to Congress under section 1105(a) of title 31, United States Code, for each fiscal year in which the authority under subsection (a) in effect.”

(e) ANNUAL REPORT.—Paragraph (2)(B) of subsection (f) of such section (as redesignated) is amended—

(1) in clause (iii), by inserting “or other government organizations” after “and security forces’’;

(2) in clause (iv), by adding at the end before the period the following: “and country’’;

(3) in clause (v), by striking “training’’ and inserting “activities’’; and

(4) by adding at the end the following:

“(vi) An assessment of the extent to which the activities conducted during the previous year met the objectives described in clause (v).

“(vii) The list of core competencies required by subsection (c)(1) and any update to any existing list of core competencies required by subsection (c)(1).”.

(f) DEFINITIONS.—Subsection (h) of such section (as redesignated) is amended—

(1) in paragraph (1), by striking subparagraphs (A) and (B) and inserting the following:

“(A) the congressional defense committees; and

“(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.”

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) (as amended) the following:

“(2) CORE COMPETENCIES.—The term ‘core competencies’ means military-to-military and military-to-civilian skills and capabilities of the National Guard, consistent with the roles and missions of the Armed Forces as established by the Secretary of Defense.”;

and

(4) by adding at the end the following:

“(4) STATE.—The term ‘State’ means each of the several States and the District of Columbia.

(5) TERRITORY.—The term ‘territory’ means the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.’’

(g) PERMANENT AUTHORITY.—Such section is further amended by striking subsection (1).

SA 1475. Mr. DONNELLY (for himself, Mr. CRUZ, Mr. BLUNT, and Mr. LEE) submitted an amendment intended to be proposed to amendment SA 1463 submitted by Mr. MCCAIN and intended to be proposed to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1116. TIERED PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 2108 of title 5, United States Code, is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) in subparagraph (H), by adding “and” at the end; and

(3) by adding at the end the following:

“(B) in subparagraph (H), by adding “and” at the end; and

(C) by inserting after subparagraph (H) the following:

“(1) a qualified reservist’’;

“(2) in paragraph (4), by striking “and” at the end; and

“(3) in paragraph (5), by striking the period at the end and inserting a semicolon; and

“(4) by adding at the end the following:

“(6) ‘qualified reservist’ means an individual who is a member of a reserve component of the Armed Forces on the date of the applicable determination—

“(A) who—

“(i) has completed at least 6 years of service in a reserve component of the Armed Forces; and

“(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; or

“(B) who—

“(1) has completed at least 10 years of service in a reserve component of the Armed Forces; and

“(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 100 points under section 12732 of title 10; and

“(7) ‘reserve component of the Armed Forces’ means a reserve component specified in section 101(27) of title 10; and

“(B) RESERVE COMPONENTS OF THE ARMED FORCES.—Section 3309 of title 5, United States Code, is amended—

(1) in paragraph (3)—

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

(B) in subparagraph (I), by striking “and” at the end;

(C) INCLUSION IN ANNUAL BUDGET .—The President shall include the Fund established under subsection (a) is in effect.’’.
CONGRESSIONAL RECORD — SENATE

JUNE 2, 2015

EXECUTIVE SESSION

NOMINATION OF MICHAEL KEITH YUDIN TO BE ASSISTANT SECRETARY FOR SPECIAL EDUCATION AND REHABILITATIVE SERVICES, DEPARTMENT OF EDUCATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 79; that the Senate proceed to vote without intervening action or debate; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the Record; that the President be immediately notified of the Senate’s action, and the Senate then resume legislative session.

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

The clerk will report the nomination.

The legislative clerk read the nomination of Michael Keith Yudin, of the District of Columbia, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education.

The PRESIDING OFFICER. Is there further debate?

If not, the question is, Will the Senate advise and consent to the nomination of Michael Keith Yudin, of the District of Columbia, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education?

The nomination was confirmed.

LEGISLATIVE SESSION

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

ORDERS FOR WEDNESDAY, JUNE 3, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, June 3; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time of the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business until 11 a.m., with Senators permitted to speak therein, and the time be equally divided, with the majority controlling the first half and the minority controlling the final half.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator Menendez and Senator Merkley. The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:35 p.m., adjourned until Wednesday, June 3, 2015, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF TRANSPORTATION

MARIE THERESS DOMINGUEZ, OF VIRGINIA, TO BE ADMINISTRATOR OF THE PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION, VICE CYNTHIA L. QUARTERMAN, RESIGNED.

SARAH ELIZABETH FEIDBERG, OF WEST VIRGINIA, TO BE ADMINISTRATOR OF THE FEDERAL RAILROAD ADMINISTRATION, VICE JAMES C. SCALZO, RESIGNED.

DEPARTMENT OF STATE

ROBERTA S. JACOBSON, OF MARYLAND, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE AMBASSADOR EXTRAORDINARY AND PLIOPTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNITED MEXICAN STATES.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

LT. GEN. JOHN W. HESTERMAN III

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 625:

COL. LIELEA J. GRAY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

BRIG. GEN. TIMOTHY E. GOWEN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 601:

BRIG. GEN. DONALD R. TATUM

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

BRIG. GEN. TIMOTHY E. GOWEN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 601:

VICE ADM. WILLIAM A. BROWN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY COMMISSIONED CORPS UNDER TITLE 10, U.S.C., SECTIONS 694 AND 393:

KAREN M. WRAMSCHEL

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 694:

SUSAN R. CLOFT

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 694:

LIEUTENANT COMMANDER JASON D. CARREROS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 694:

MATTHEW J. KAWAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 694:

NOEL D. GONZALEZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTIONS 694:

LIEUTENANT COMMANDER ANDREW D. DAVIS
THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624: To be commander

GARTH G. GIMMESTAD
LESTER E. DAEG
JASON M. JUJGENS
DIETRICH S. MACK
KATHERINE T. MARONEY
THOMAS J. MCKRON II
MARK C. MORAN
ROBERT L. MORAN
JAMIE D. PAPPENBROTH
RICHARD E. SCHMITT
MARCO D. SPIVEY
GEOFFREY W. URINA
MARK C. WADSWORTH, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624: To be commander

DAVID A. BACGER
CARL T. BIGGS
LAWRENCE BRANDON, JR.
JAMIE L. COLE
MARK W. CLEVELAND, JR.
CHRISTOPHER T. CLOOFILTER
JOSPH DARCY
ETHAN R. FEDOR
FRANKLIN J. GASPERETTI
JONATHAN S. GIBBS
CHRISTOPHER J. HALL
SAMUEL H. HALLOCK
DAVID G. HANTHORN
ROSEMARY M. HARDYSTY
WILLIAM R. HASKELL
SHAUN P. HAYES
BRIAN D. HEBBERLY
RICHARD L. HILL
JOSEPH E. KLOPPE
ANDREW M. LAVALLAY
CLINTON T.-lawler
JOHN A. LUKACS IV
ANDREW P. MAUREE
MARK A. MINTON
JESSE R. NICE
DEBRA T. PETERSON
BRIAN R. PHILLIPS
KLARI B. RAMMING
MARK A. SCHUHECMAN
LUIS F. SOCOL
PAUL L. STUTLER, JR.
JASON D. TUTTLE
SCOTT E. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624: To be commander

ANTONIO ALEMAR
KYLE N. BOCHEY
JOSHUA R. CALLOWAY
JOHN A. CANADIAN
GREGORY M. RAWRINS
ELIZABETH A. HERNANDEZ
KENR J. KEVIN
SHAUN P. LYNCH
DANIEL P. MARTIN
BIHRE F. MUPTT, JR.
DAVID R. PAXTON
DANIEL C. SHORT
ROGER F. PAVANT
JAMIE G. TRUENSTON II
JOHN A. WALSH
JOHN H. YOUNG III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624: To be commander

LYLLE P. AINSWORTH
KEVIN D. BARTLE
ERIC R. EDGE
VICTOR M. PEAL, JR.
CLAYTON B. MASSEY
MARI C. BRAYMAN
CLAUDIA E. TAYLOR III
JUAN C. VARELA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624: To be commander

KARIN R. BURZYNSKY
PATRICK L. RYANS
SARAH C. HEGINS
FRANCISCO E. MEGALON
THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624: To be commander

PAOLO CASCARAVALLIO, JR.
VINCENT P. CIRO
ROBERT R. ELLERS, JR.
JUSTIN D. GOSS
RAJ A. HUSSAIN
JESSE Y. LIN
DAVID J. MULETIA, JR.
RAMON L. MEDINA
CONSTANTINE N. PANAYITOTOU
TYLER R. ROBB
HENRY T. SATCHEL
MATTICH G. GUBLIC

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624: To be commander

DAVID G. DOHERTY
BRIAN S. KNOWLES
JOHN N. KOCHENDORFER
JUSTIN A. KURU
PAUL J. LANZELLOTTA
JOSHUA M. LINDBLOM
ERIC C. LINDFORS
MARICRUZ LORCE
SCOTT C. LUERS
BRIAN B. MALUS
DANIEL P. MALATISTA
DONALD W. MARKS
RAYSMON W. R. MARSH II
MICHAEL A. MARSTON
CLAUDIA MATTINING
EARL L. MCDOWELL
LAWRENCE E. MEERAN
MICHAEL W. MEROZH
RICHARD M. MAYER
ANDREW R. MILLER
ANDREW T. MILLER
MICHAEL J. MILLER
PHILLIP S. MILLER
JON H. MONTET
MUTEBAZ P. MURRAY
MARTIN A. MUCLEAN
NICHOLAS A. MUNAGA
WILLIAM J. M. MURPHY
SEAN M. MUTH
DAVID D. NEAL
CHRISTOPH M. NEWEICKI
PATRICK N. Niesen
DANIEL A. NOFUCKI
MICHAEL B. ORDRICK
GERALD R. O. NELSON II
CHRISTIAN B. PARKS
CRASH D. PATRICK
CHRISTOPHER L. PESLLE
ROBERT R. PETERS
ANDREW W. PETERSSON III
TRAVIS M. PETZOLDT
PAUL B. PFEIFFER
MATTHEW A. PHILLIPS
GELL T. L. PITTMAN III
TIMOTHY P. POTT
BARTLEY A. RANDALL
WILLIAM M. REED
LINCOLN M. RIFSTECK
RICHARD G. J. RINERK
FRANK A. RICHARDS IV
MATTHEW S. RICHARD
JACKSON S. RICHARD
RICKY J. RUPPEL
JOSEPH J. RUPPEL
RICKY J. RUPPEL
BRIAN J. RYAN
FRANK Z. SALVA
JAY M. SCHMIDT
CLAIRE G. SCHMIDT
JASON J. SCHNEIDER
KEVIN P. SCHOLTZ
JOHN M. SIEGFRIED
CHRISTOPHER M. SEMENKO
ERIC L. SILVERSTEIN
WILLIAM K. SHAVELY III
BLANE T. SHEARON
THOMAS A. SHEPPARD
WILLIAM B. SHIBEGO
THOMAS R. SHULTZ
RENAIR J. A. SHUP
CLAUDIA C. SICOLA
CLINTON T. SMITH
EDWARD R. SMITH
JOSEPH J. SMITH
REBECCA R. SOTTO
BENNETT J. SPENCER
LOUIS J. SPRINGER
BRAD L. STALLINGS
CHRISTOPHER D. STONE
BRENT M. STONG
LANE E. THOMPSON
JASON P. VELIVLIS
MICHAEL E. VITALI
ALEKS T. WALKER
WESLEY A. WALL
CHARLIS D. WASHINGTON
MICHAEL J. WEAVER
BRIAN D. WEBB
CHRISTOPHER J. WESTPHAL
TODD E. WHALEN
JENNIFER L. WHREATT
JENNIFER K. WILDEMAN
CHRISTIAN B. WILLIAMS
CLAY A. WORTHLEY
STACEY W. YOFF
FORREST A. YOUNG
TIMOTHY H. YOUNG
GREGORY M. ZETTLER
DAVID G. ZOOK
To be captain

Christopher L. Phillips
Ian K. Thornhill

The following named officers for appointment to the grade indicated in the United States Navy Reserve under Title 10, U.S.C., Section 12326.

Tamberlynn W. Baker
denrii R. EIlIott
Robin D. Gish
Lisa M. Gottschalk
Denris H. Barrington
cherise T. Bogan
Alan K. Mintz
Rolf Muldersaker
Melissa L. Rosine
Angelia W. Thompson

To be captain

SaraAYOT F. Bagwell
Michael R. Berry, Jr.
Robert G. Bish
David A. Buhler
Ronald D. Cole
Philip L. Coyle
Anthony G. Erickson
Stephani L. Barta
David E. Ludwa
Danielle L. Pfeilasaki
Josh M. Rodriguez
Alan J. Schmitt
Kathy M. Warren

The following named officers for appointment to the grade indicated in the United States Navy Reserve under Title 10, U.S.C., Section 12326.

GREGORY T. STEBMAN
R indictated in the United States Navy Reserve under Title 10, U.S.C., Section 12326.

To be captain

Gary M. Shelly
Joseph L. Thompson
Richard A. Tousend
James T. Uschauer
Ronald V. Vigliani, Jr.
Stephani M. Vossler
Clint J. Wagner
James L. Willott

To be captain

Paul T. Anthony
Robert W. Brock
Charles G. Bruzeno, Jr.
Stephani W. Burger
Daniel J. Combs
Thomas M. Comto
William G. Fernandez
Patricia B. Gregory
Benjamin T. Griffith
Christopher M. Hufts
Jeffrey A. Jones
Laurence M. Levet
David G. Malone
Margarite Mouaghanshu
Robert N. Mclay
Douglas F. Peterson
Matthew T. Provcher
Jonathan A. Pryor
John J. Resley
Mark A. Schmiederer
Joseph E. Straus
Kara L. Aguir
Gregory M. Taylor
Pittman A. Wagner

The following named officers for appointment
to the grade indicated in the United States Navy Reserve under Title 10, U.S.C., Section 12326.

Jeffrey M. Clark
Albert H. Fu

Dennis Hopkins, Jr.
Boody E. Miller
Trong D. Nguyen
Sherma R. Saif
Shawn S. Vetter
Carol W. Watt

The following named officers for appointment
to the grade indicated in the United States Navy Reserve under Title 10, U.S.C., Section 12326.

Laura M. Muselman
Jennifer R. Reed
Kennith W. Wagnier

The following named officers for appointment
to the grade indicated in the United States Navy Reserve under Title 10, U.S.C., Section 12326.

Kerry L. Abramson
Jeffrey P. Adams
Robert Appasasino
James C. Bailey
James W. Calhyn
Kevin M. Comstock
Michael R. Eversholt
Philip J. Fairley
Scott P. Hallauer
Timothy F. Harton
Donald J. Kennedy
Luis P. Lenn
Martin T. Lundquist
Michelle M. Petitt

To be commander

Bolman R. Agard
Chuck D. Algood
Michael R. Alesnitz
William J. Allen
D. Jason Barden
John K. Anderson
Nathanial S. Anderson
Anthony M. Andrews
Stephani Amsung
Joshua A. Aprezito
Timothy D. Arey
Timothy P. Atherton
Alexander T. Babec
Joshua T. Bailey
Matthew P. Baker
Patrickeigh J. Bader
Adrian C. Barksfield
Jeremy M. Bauer
Michael A. Baxter
Christian M. Beards
Michael R. Beatty
Peter A. Beatty
Robert B. Beeman
Shaun M. Biederman
Michael A. Bemis
John D. Bernfield
Albert L. Benton, Jr.
Peter M. Bernhard
Gehmire J. Binkley
Michael D. Bish
John C. Bozous
Douglas E. Bowes
James P. Brassfield
JASON P. BROWN
Michael B. Bearden
Christopher R. Brehm
Michael J. Brit
William P. Brody
Joseph D. Brooken
Christopher M. Brown
Christopher V. Brown
Daniel W. Brown
Gregory S. Brown
Joshua C. Brown III
Westley A. Brown
James M. Brown
Christopher K. Brusca

Andrew D. Bucher
Jason C. Buder
Thomas E. Bunker
Elisja T. Bushell
Matthew V. Burns
Kevyn B. Carell
Daniel L. Cain
Justin M. Canfield
Joseph J. Capalbo
Ronald D. J. Caprelli
Heston M. Cardenas
William D. Carlock
Kevyn R. Casagrande
James C. Cassier
Andrew M. Censherrhoz
Matthew A. Cester
Shaun A. Chieftt
Ferfer P. Chiappar
Allison M. Christ
John H. Chiancovich
Clifford D. Cloos
Matthew A. Colr
David S. Coles
Kenneth R. Colman
Shawn E. Conning
Andrew N. Cook
Damon J. Cook
Shannon S. Corr
Charles T. Coursey
John E. Courcy
January J. Crivello
Kevin J. Culver
Pete J. Curban
Jack E. Curtis
Jason A. Dalby
James A. Davenport
Franke W. Davis, Jr.
Luce R. Davis
Kevyn T. Dean
Jason W. Dilbert
Christopher P. Duke
Jeffrey M. Duffin
Aaron F. Dimkert
Patrick H. Dennis
Joseph C. Denton
Christopher S. Dietzer
Marcus A. Divine
Mary K. Devine
Michael E. Dolce
James A. Domachowski
Mark D. Dominco
Sean P. Donaghy
Chad R. Donnelly
Michael P. Donnelly
Treasur J. Duchin
Christopher M. Dudley
Troy A. Dure
James A. Dunbon
Michael S. Dwan
William G. Fashick
Arch E. Emndon
Thomas J. Eiring
Olukeemi U. Elbim
David V. Elias
Patrick R. Elsian
Theresa J. Elkins
Andrew J. Ellis
Peter R. Rudy, Jr.
Russell H. E shifting
Charles D. Fairbank
Jonathan M. Fay
Martin S. Fentress, Jr.
Roger C. Fingegn
Michael A. Ferra
Darol D. Flah
Justin D. Fisher
Michael D. Fisher
Thomas P. Flabbertyn
Daly P. Flammen
Kelly C. Flyn
Ryan T. Fuilner
John T. Gaines, Jr.
Gabriel J. Gammache
Nathan J. Gammache
Jack A. Garcia
Richard H. Garcia
Andrew C. Carty
Ryan J. Gaul
Bradley D. Geary
Mark E. Gillaspe
Leonardo G. Giovannelli
Elian J. Glasser
John A. Gottmer
Bruce W. Goodman
Michaela K. Golding
Nathanial S. Gomré
Jonathan D. Gray
Martin J. Glegg
Michael S. Gubbel
Karl P. Rudler
John M. Ramsay
Dustin B. Hagy
Christopher S. Hain
Waren A. Hakes
Andrew B. Hahn
David M. Halfpern
John M. Halden
John W. Hamilton
Joshua D. Haney
Barnett L. Harris II
Scott E. Harris
William P. Harris
Kerry K. Harrison
FOREIGN SERVICE NOMINATION OF STUART MAC-
HONORING NAN MCEVOY

HON. JARED HUFFMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. HUFFMAN. Mr. Speaker, I rise today in honor of Nan McEvoy, who passed away on March 26, 2015 at her home in San Francisco at the age of 95. A trailblazer and tour-de-force in every aspect of her life, Mrs. McEvoy left a lasting impact on family, friends, colleagues, and community.

Mrs. McEvoy occupies, in particular, a special place in the hearts of Marin County residents. Along with serving as Chairwoman of the San Francisco Chronicle, a leader in several philanthropic causes, and a lifelong advocate for women's rights, Mrs. McEvoy also ran an olive farm near Petaluma. Originally intended as a getaway for her family to experience the beauty Northern California offers, McEvoy Ranch today produces high-quality oils and body care products for specialty stores across the nation.

While Mrs. McEvoy’s time in Marin represents just a slice of her collective achievements, it’s an apt metaphor for the remarkable life she led. When she first proposed the idea to grow olives, people told her that it wouldn’t work—that she should use the land for cattle, perhaps. She ignored her critics, and moved forward with her original plan. Today, McEvoy Ranch now grows more than 18,000 trees and receives accolades from national media and local voices alike. In Mrs. McEvoy’s way, though, her efforts have not just proven successful financially, but also for our community as a whole. The ranch uses certified organic farming practices, produces its own compost, and—as of 2009—meets half its electrical needs with an on-site windmill, the first privately-owned turbine of its size in the county. Nan McEvoy was a leader in our community and a voice for the underserved. While her professional success was remarkable, it’s her passion for life and compassion for others that left a lasting impact on family, friends, colleagues, and community.

Azerbaijan Republic Day Commemoration

HON. RYAN K. ZINKE
OF MONTANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. ZINKE. Mr. Speaker, today I celebrate with Azerbaijanis around the world in the commemoration of Republic Day. On May 28, 1918, the people of Azerbaijan declared independence from Russia, becoming the first Muslim democratic secular country in the region. Although the country temporarily lost its independence due to Soviet aggression, it regained full independence in 1990.

Since regaining independence, Azerbaijan has been one of America’s closest allies in the Middle East. Throughout Operation Enduring Freedom, Azerbaijan worked closely with our armed forces against radical Islamic terrorists in Afghanistan. Not only did Azerbaijani forces fight alongside our forces, but they also provided crucial refueling, landing, and airspace rights for our armed forces. Over a third of all non-lethal equipment for our troops in Afghanistan went through Azerbaijan. Our military cooperation with Azerbaijan was strengthened in 2011, and remains vital today.

Today we see the Middle East under attack. Terrorist groups with no regard for human life have torn the region apart. Now, more than ever, we see the tremendous importance for a close ally. We are extremely fortunate to have that ally in Azerbaijan.

I ask that my colleagues join me today in celebrating Azerbaijan’s independence and thanking them for their strong partnership.

HONORING OFFICER DAVID REED OF THE MONTGOMERY COUNTY POLICE DEPARTMENT

HON. JOHN K. DELANEY
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. DELANEY. Mr. Speaker, I would like to recognize and honor Officer David Reed of the Montgomery County Police Department for his heroic actions in saving the life of an infant.

Our police make it their job to protect our communities, a job that can require an officer to put their life on the line or to save somebody else’s. On May 8, Officer Reed’s work to protect and serve required split-second decision making, quick action, and extraordinary skill under pressure.

On duty in Silver Spring, Maryland, Officer Reed discovered a woman crying over her two-month old baby. The child had stopped breathing. Reed quickly assessed the situation and took action, giving the infant two-fingered CPR. After several chest compressions, the child began to breathe again.

Today, the baby is alive and back with her family, thanks to Officer Reed. Reed is a hero in our state, and I ask that you and my other distinguished colleagues help me in honoring Officer Reed, not just for his work to save one life, but for his work to protect the lives of people in our state every day. Thank you, Officer Reed. Your service to our community will not be forgotten.

RECOGNIZING NORTHAMPTON COMMUNITY COLLEGE’S WASHINGTON, D.C. VISIT

HON. CHARLES W. DENT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. DENT. Mr. Speaker, I want to acknowledge the two-day visit to the nation’s capital by administrators, faculty and students of Northampton Community College (NCC), which has three campuses in northeastern Pennsylvania. Led by President Dr. Mark Erickson, the delegation toured the U.S. Capitol and other historic sites throughout the city, and incorporated lessons on the benefits of being involved in government and advocacy.

Just Born Quality Confections in Bethlehem—makers of the popular Peeps and other delicious candies that are made in my District—was the lead sponsor of their trip. Matt Pye, Vice President of Trade Relations & Corporate Affairs, hosted the group at the National Confectioners Association (NCA) to outline career opportunities and explain the association’s advocacy agenda of NCA’s member companies. Joining Dr. Erickson on the NCC trip were:

- Students:
  - Andreola, Brandon—Liberal Arts, Political Science—Effort, PA
  - Barksdale, Khabira—Secondary Education—East Stroudsburg, PA
  - Berry, Stephen—Liberal Arts, Political Science—Kunkletown, PA
  - Cimera, Rachel—Secondary Education—Bethlehem, PA
  - Galarza, Jose—Biological Science—Easton, PA
  - Garcia-Caro, Elisabet—Liberal Arts, Political Science—Allentown, PA
  - Grifone, Patrick—Business Administration—Easton, PA
  - Joseph, Fitzgerald—Biological Science—Henryville, PA
  - Martinez, Brandy—Liberal Arts, Sociology—Blakeslee, PA
  - Maxwell, Emmanuel—Biological Science—Easton, PA
Perez, Stephanie—Theatre—Bethlehem, PA
Rahming, Rodney—Business Administration—East Stroudsburg, PA
Reahl, Rachel—General Studies/Veterinary Medicine—Bethlehem, PA
Rosengarten, Aaron—Liberal Arts, Political Science—Easton, PA
Soltys, Adam—Web Development—Northampton, PA
Staff:
Bohr, Deb—Director, Center for Civic and Community Engagement
Satunen, Myra—Writer/Editor
Walz, Rebecca—Director, Alumni Engagement and Annual Fund
Whitaker, Helene—Vice President, Administrative Affairs
Alumni:
Glick, Cindy—Northampton Community College Alumna 1992

I would like to commend schools at all levels that come to Washington, D.C. for a mix of education, history and advocacy. Civic education and citizen engagement are vital to our democracy, and I am delighted my staff and I were part of NCC’s visit.

TRIBUTE TO THE SAN ELIZARIO HIGH SCHOOL EAGLES STATE CHAMPIONSHIP — HON. WILL HURD OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015
Mr. HURD of Texas. Mr. Speaker, I rise today to pay tribute to the San Elizario High School Eagles for their victory in the Texas Class 4A Boys State Soccer Championship. Hard work and dedication over the years led the Eagles to this victory and allowed them to finish out the season with eighteen wins, four losses and three ties. The journey started in 2009 and culminated on April 17, 2015, when the Eagles secured their win against the Liberty Hill Panthers with a 4 to 2 victory.

Eight years ago, the Eagles won sectional rounds, beating the state champs at Del Valle High School. The next year, they secured a district championship and Area title. Following a winning season, they earned three playoff trophies in 2013. With successes like these behind them, they went into this season with an unmatched drive to win. On that Friday in April, when the final score showed 4 to 2, the roar in the stands could be heard throughout the city. The wishes of good luck from citizens across San Elizario were received, and the Eagles delivered.

Our District expands from San Antonio to El Paso, and within its vast area lies San Elizario, home to 13,000. The city is beaming with pride for the team, the young men’s family and friends, and their high school. For every member of the team, there were countless community members supporting them in the stands as they went on to win game after game in the playoffs, culminating with the raising of the trophy. In a city with a small population, the Eagles have created a lasting legacy that will not be forgotten.

The Eagles’ level of excellence as a whole is a reflection of the individual players and their desire for success and dedication to hard work. Head Coach Max Sappenfield was able to lead the Eagles, and the young men demonstrated to him and each other the kind of teamwork worthy of a state championship. This victory is a result not only from talent, but also from hours spent on the field, the strategic planning behind each game, and fine tuning the skills of each player. The Eagles’ dedication and tenacity have truly paid off, and is a source of pride for the entire city and the 23rd Congressional District of Texas. It is my honor to represent San Elizario High School, and I wish continued success to the team and each of its members in their future endeavors.

HONORING CHRISTINA MILIAN — HON. PETE AGUILAR OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015
Mr. AGUILAR. Mr. Speaker, today I rise to honor the life and work of Christina Milian, a community activist and philanthropist from California’s Inland Empire. As a local business owner, Christina Milian’s dedication to her work and support of those around her in the San Bernardino and Rialto areas served as an inspiration to her friends, family, and neighbors.

While she was certainly an accomplished businesswoman, Christina Milian was most widely known for her selfless acts and devotion to local organizations. She was a philanthropist to the very core. Christina was an avid supporter and organizer for groups including Les Confrer Auxiliary, the Assistance League of San Bernardino, and the Inland Women Fighting Cancer.

While Christina is gone, her legacy and work will live on through the lives she touched. She was an inspiration to all who knew her. Christina will be dearly missed by her husband of thirty-five years, Arthur T. Milian; two sons, Michael and Jonathan, grandchildren Isaiah, Ava and Caleb; her mother Juanita, her siblings Ray, MaryJane, and Carol; as well as the entire San Bernardino County community.

RECOGNIZING THE 85TH ANNIVERSARY OF PARSONS & ASSOCIATES, INC. — HON. JOHN KATKO OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015
Mr. KATKO. Mr. Speaker, I rise today to recognize the 85th anniversary of Parsons & Associates, Inc., of Syracuse, New York. Established in 1930, Parsons & Associates, Inc. has grown to become a third generation family business, insuring Syracuse’s businesses and families.

The company was founded by John C. Parsons upon his graduation from the University of Pennsylvania’s Wharton School of Business. The business began as a life insurance agency and now offers a complete range of insurance options.

I’m proud to recognize Parsons & Associates, Inc. for the long standing success of their business. In the 24th District, Parsons & Associates, Inc. epitomizes the strength and character of local, family-owned businesses across Central New York.

HONORING GLENN D. STEELE JR., MD, PHD — HON. TOM MARINO OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015
Mr. MARINO. Mr. Speaker, I rise today in order to recognize Glenn D. Steele Jr., MD, PhD, President and Chief Executive Officer of Geisinger Health System, an integrated health services organization in central and northeastern Pennsylvania nationally recognized for its innovative use of the electronic health records and the development and implementation of innovative care models.

Geisinger Health System, founded in 1915 by Abigail Geisinger, has grown to be one of the nation’s largest rural health services organizations serving more than 3 million residents throughout 48 counties in central, south-central and northeast Pennsylvania.

When Dr. Glenn Steele began his tenure in 2001 as Geisinger Health System’s CEO, there were just over 7,000 employees, including 540 physicians. Under his leadership Geisinger has grown tremendously. It is now comprised of approximately 23,500 employees, including a 1,200-member multi-specialty group practice, nine hospital campuses, two research centers and a 487,000-member health plan, all of which leverage an estimated $7.7 billion positive impact on the Pennsylvania economy.

The health system and the health plan have repeatedly garnered national accolades for integration, quality and service. In addition to providing patient care services, Geisinger has a long-standing commitment to medical education, research and community service.

On behalf of all Pennsylvanians, I am pleased to recognize Dr. Glenn Steele for improving the quality of life for citizens through his leadership and contributions to health care innovation.

REMEMBERING THE LIFE OF MRS. SHIRLEY A. HALBEISEN — HON. TIM RYAN OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015
Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the life of my dear friend Mrs. Shirley A. Halbeisen. Mrs. Halbeisen was highly regarded in her community for her volunteerism at the Hayes Research Library, her dedication to our beauty salon, and most of all the love she possessed for her family and friends.

Mrs. Halbeisen was born in Riley Township in Sandusky County in 1928. She was a proud graduate of Clyde High School and attended Tiffin University in 1945, where she was trained in Civilian Employment for the Air Technical Service Command near the end of World War II. Following her training she worked for American Airlines in New York City until she returned to her home in Ohio. After successfully graduating from Fremont Beauty School she opened her own business, Shirley’s Coutures in Lindsey.

She married her dear husband, Bernard Henry Halbeisen, on September 27, 1947. In their fifty-five joyous years of marriage they
Mr. DENT. Mr. Speaker, I rise to recognize the life of Christian R. Long.

Unfortunately, but fittingly, Mr. Long passed away over the Memorial Day weekend, our solemn holiday for remembrance and recognition of the heroes who made the ultimate sacrifice for our freedom.

Mr. Long saw front-line service in Europe with the 44th Infantry Division during World War II. Raised in Lebanon County, which is home to many people of Pennsylvania German (Dutch) ancestry, Mr. Long was also assigned as a German-language interpreter. What could be more Pennsylvanian?

After the war, he was determined to learn a trade. He worked as a carpenter for over 40 years building and renovating homes and other properties for Carlos Adams in Hershey, Pennsylvania.

Mr. Long, who was known as “Christ” (pronounced “Krist”), was a lifetime member of The American Legion. He enjoyed gardening, hunting, fishing, and trapping. His carpentry skills and an outdoors upbringing enabled him and his sons to buy land and build a hunting cabin, primarily using recycled building materials, in Sullivan County, Pennsylvania. He also built his own home, as well as constructed and renovated residences, decks and boat docks for his children.

Born on March 12, 1924 in Harpers, Pennsylvania, he was the son of the late Christian Adam Long, Sr. and Mary Hoover Long. He grew up in Lawn, Pennsylvania. Mr. Long was a devoted father and husband; he andPearl Weaver Long of Palmyra were married April 27, 1947 and she preceded him in death on January 14, 1995. They reared their family in Campbellsport, Pennsylvania. He is survived by four children, seven grandchildren, five great grandchildren, six step-grandchildren and five great step grandchildren.

Ronald Reagan aptly recognized in his first inaugural address that, “...we’re a nation of heroes, they just don’t know where to look.” Mr. Long was one of those everyday heroes who made our country the great nation it is today.
Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Earl J. Morris, of Owingsville, Kentucky, for his distinguished military service during World War II. Mr. Morris, of the members of our D.C. Service Academy Selection Board, and in thanking the members of our D.C. Service Academy Selection Board for their dedication and service to the District of Columbia, to the U.S. Service Academies and to the nation.
of the Bulge in Belgium. In the Alsace Lorraine Sector of France, his unit fired across the Rhine into Germany and kicked the last Germans out of France. His 898th Division was awarded the French Coat of Arms for the Battle of the Colmar, one of the highest awards bestowed. After fighting in Holland, the 898th Division entered Germany, crossed the Rhine, and continued heavy fighting until the end of the war. His unit then began policing duty in Germany as the war ended in Europe.

The bravery of Mr. Morris and his fellow men and women of the United States Army is heroic. Because of the courage of individuals from Owingsville and from all across our great nation, our freedoms have been saved for our generation and for future generations. He is truly an outstanding American, a patriot, and a hero to us all.

HONORING REVEREND REGINALD BUCKLEY

HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Pastor Reginald Buckley, who says that faith is about more than just Sunday morning worship—it seeps into daily life, economics and education.

Pastor Reginald Buckley, was born and raised in Jackson, where his father pastored at Cade Chapel Missionary Baptist Church, which held its first worship service in 1880. “It has historically and continues to have an eye toward social empowerment,” he says.

Following his graduation from Lanier High School in 1990, he went to Tougaloo College and received a bachelor’s degree in English. He attended graduate school at the University of Illinois Champaign-Urbana and earned a master of arts degree in English literature in 1996.

For nine years, Buckley served as senior pastor of Second Baptist Church in Danville, Ill. While there, he also became president of the Illiana Christian Association and helped create relationships between congregations across Illinois and Indiana of different racial backgrounds.

In 2007, he brought all his experiences back home to Jackson and Cade Chapel, where he became executive pastor. And with those experiences, he brought a plan. “My vision is that we really begin to affirm the dignity of all humanity, that we value all of Jackson and that we value in how we treat and provide for all,” Pastor Buckley says.

“Class is not what colors us, and we are all bound together in this experience we call humanity.” His forward thinking afforded him the position of Dean of Christian Education for the General Missionary Baptist State Convention of Mississippi, and gave him opportunities to preach and teach across the nation.

Pastor Buckley, a Kellogg Foundation fellow, wants to help people in practical and tangible ways; the most recent product being Cade Courtyard, an apartment complex for seniors near the Virden Addition community. The church has more plans for development in the area that include single-family housing and mixed-retail developments.

Along with his wife, Lecretia Buckley, he has two children: Jonathan and Anna.

Mr. Speaker, I ask my colleagues to join me in recognizing Reverend Reginald Buckley for his dedication to serving others.

HONORING ROBERT OLIVIERI, PAST PRESIDENT OF PSAR

HON. JUAN VARGAS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. VARGAS. Mr. Speaker, I rise today to honor Robert Olivieri, the outgoing President of the Pacific Southwest Association of REALTORS, for his outstanding leadership in the South Bay region of San Diego County.

Robert Olivieri was born in Providence, Rhode Island and has been a resident of Chula Vista and Bonita for the past 30 years. Robert graduated from the University of Michigan with a B.S. in Engineering and went on to earn an MBA in Finance from the University of Phoenix. Robert holds a California Real Estate Broker’s License, a California Insurance Broker’s License, a Series 7 Securities License, and has been in the real estate business for over 29 years.

Robert has been an active broker and manager for several real estate offices in South San Diego County. Robert served the Pacific Southwest Association of REALTORS (PSAR) as their 2014 President. During his tenure, he focused on membership recruitment and retention, while also providing useful resources for members’ professional and personal growth. Robert has also served PSAR on their Board of Directors, as a California Association of REALTORS State Director, and as a member of the Community Involvement Committee and the Merger Steering Committee. Robert has been ranked by real estate tracking agencies as one of the top house selling agents and in the top 7% of agents who sell homes for top dollar.

Robert and his wife, Marcia, are very involved in their community and help support Bonita Vista High School and Corpus Christi Parish.

HONORING MR. ESSIE FROST

HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a young leader in his school who has raised the bar for students coming behind him, Mr. Essie Frost from Charleston High School in Tallahatchie County.

Charleston High School operates under the authority of the East Tallahatchie School District. The school district is a small one like many throughout my district. Nonetheless, and somehow they are able to make acceptable things happen despite having limited resources, which brings me to the reason why I want to recognize this young man. Ms. Melissa Faulkner, his teacher, has mentored, taught, and watched him grow to the point where he always made good decisions throughout high school, but in his senior year, he rose to a new height. That’s commendable as a young person.

We all have the ability to make a positive difference in life. Essie took the optimistic approach to helping his small school. He set...
goals; he wanted the class of 2015 to leave a memorable existence. So, he became Class President to lead them to that goal. He was skilled in getting the students to follow his vision and set goals to be achieved as a whole. He often volunteered on community school projects, getting his fellow classmates to join. He told them that it's not only good for the school, but they will be known as the class who gave back, plus they can use it on their college application for community service.

Essie led the charge to make their class prom what they envisioned and dreamed, saying they are responsible for making it happen, the school doesn't have a lot of money and prom is a privilege not a right. No one ever knew he had been raising the money for years on his own to go towards his prom. That is amazing for a young person to set a goal that far in advance, stick to it, and carry it out. I called that great resilience. According to his teacher, Ms. Faulkner and I quote, “This senior class has more than doubled what his previous class had managed to raise, all thanks to Essie’s determination, dedication, and careful planning.”

In addition to that, Essie crafted a plan to increase enrollment in the National Honor Society membership representation of the students at Charleston High School. His plan helped to increase enrollment from eighteen students, when he started, to now, thirty-six. The class goal was forty, they are almost there. Now that’s setting the bar again for the next class. I am proud to have Mr. Essie Frost as a citizen of the Second Congressional District of Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Essie Frost, Class of 2015, Charleston High School, Charleston, MS, for his current active role as a student making a difference. Keep the faith. Keep progressing Essie.

CELEBRATING THE 50TH ANNIVERSARY OF THE LINCOLN PARK EMERGENCY MEDICAL SERVICES SQUADRON

HON. RODNEY P. FRELINGHUYSEN
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to congratulate the Lincoln Park Emergency Medical Services as they celebrate their 50th Anniversary. I also want to thank all of the men and women who have given so much to their community through their work on the EMS Squad.

Since May of 1965, the EMS Squadron in The Borough of Lincoln Park, New Jersey, has served their community faithfully and has always answered the call to duty.

Their job is not an easy one in any sense of the word. They are at their best when situations are at their worst. Squad members are state-certified Emergency Medical Technicians (EMT), and they help those who are most in need of medical attention, no matter how big or small the issue. Not only is the work they do remarkable, but what is even more astonishing is the fact that these heroes are all volunteers.

Their task is difficult enough having to take care of one patient at a time. But it becomes especially daunting when considering Lincoln Park Borough’s population is over 10,000, and continues to grow every year. It takes dedicated men and women to go above and beyond the call of duty to serve a community of that size, and there is nobody more capable than those individuals in the Lincoln Park EMS Squadron.

Mr. Speaker, I urge all of my colleagues to join me in thanking and recognizing the amazing men and women of the Lincoln Park Emergency Medical Services Squadron.

CONGRATULATING THE NATIONAL BLACK DATA PROCESSING ASSOCIATES (BDPA)

HON. ELEANOR HOLMES NORTON
OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in congratulating the National Black Data Processing Associates (BDPA) on its 40th anniversary of service to the residents of the District of Columbia and the national capital.

Founded in May 1975 by Earl Pace and the late David Wimbler, BDPA was formed out of a concern shared by both men that minorities were not adequately represented in the information technology industry. The first BDPA chapter was organized in Philadelphia, PA in 1977. A year later, the second chapter was organized in Washington, D.C., and shortly thereafter, the third chapter was organized in Cleveland, OH. In 1979, BDPA was structured as a national organization, and has 45 active chapters across the United States.

As the oldest and largest African American information technology (IT) organization, comprised of over 2,000 African-American IT professionals, as well as science, technology, engineering and math (STEM) college students, BDPA’s mission is to be a powerful advocate for their interests within the global technology industry. Its mission is to be a global, member-focused technology organization that delivers programs and services for the professional wellbeing of its members.

BDPA continues to promote professional growth and technical development for young people and those entering into information and communication technology (ICT) in academia and corporate America. We also appreciate BDPA and its 45 chapters for continuing to provide ICT opportunities for STEM students and professionals.

Mr. Speaker, I ask the House of Representatives to join me in celebrating the 40th anniversary of the National Black Data Processing Associates, in congratulating BDPA for its outstanding accomplishments and commitment to the residents of the District of Columbia and around the country, and in welcoming those attending the BDPA Annual National Technology Conference and Career Fair, titled “Evolution of IT—Embracing the Digital Future,” on August 18-22, 2015, at the Washington Hilton Hotel.

HONORING GREENHILL MISSIONARY BAPTIST CHURCH

HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable historical church Greenhill Missionary Baptist of Marks, Mississippi and the great leadership it has, under Rev. Alvis Pryor, Jr.

Greenhill M. B. Church was organized in 1909. The original building was a small one room wood frame building located across Highway #6 between the towns of Belen and Marks, MS in the county of Quitman. This building was destroyed by a storm.

A man by the name of Jessie D. Andrews heard about the loss of the church and sold them two (2) acres of land for the sum of One Dollar. The land was deeded to Sam Jones, Peas Thomas and John Henry, who were Deacons and Trustees of the church. This land was sold with the understanding that it was to be used for church purposes or burial grounds or both and should it cease to be used for the before mentioned purposes, the land would be reverted to Jessie D. Andrews.

After acquiring the new land (present site) with only a few members remaining, another single room wood frame building was constructed. The new church was built by Alexander Gates, George James, David M. Gates, Epsie Morgan, Sr. and other men within the community. The church was built through donations made by church members and others under the leadership of the first pastor, Rev. M. O. Jude.

During the 106 years of Greenhill’s history there have been a total of 11 pastors; some with short tenures and some with long tenures. Some made a great impact on the church and community and others kept the church moving forward.

Under the leadership of Rev. C. J. Carson, (5th) pastor an annex was added which included, pastor’s study, kitchen/dining room, deacon’s/secretary room and bathrooms.

Rev. C. Tyler served as the (8th) pastor. During his tenure the church was again remodeled. He served a total of 25 years the longest serving pastor so far. He was often referred to as “the Mississippi Hopper.”

In 2007, Rev. Currie Relliford was elected as (10th) pastor. Even though his tenure was less than two years the annex was torn down and rebuilt into a beautiful modern structure.

Greenhill has always served as a beaconing light in its rural community setting. The church takes pride in ministering to the whole person. Special attention is given to the needs of the youth, aged, and underprivileged. Considering the fact that Greenhill is a small church we are proud of the fact that traditionally many of its...
members have gone to college and became public school teachers. Presently about 50% of the members are less than 21 years old. So with God the future of Greenhill is bright.

Rev. Alvise Pryor, Jr. was elected as eleventh pastor of Greenhill M. B. Church in May 2009. Under his leadership, the church has continued to grow spiritually due to the continuation of weekly prayer meetings, Bible Study, Sunday School and the visitation of the sick and shut-in. Pastor Pryor has been very instrumental in the growth of this church through the guidance of the Holy Spirit, and some of his most notable accomplishments are: Instituting a plan to liquidate the mortgage on the church, the beautiful church sign (which was purchased by the first family), additional Sunday school teachers and assistants have been added, he is responsible for instituting an Annual Youth and Youth Coordinators Retreat in July, annual fellowship dinners sponsored by first family, fifteen passenger van and hired a full time musician.

Unfortunately, when there's life; death too will come. Throughout the past 106 years, as you can image, there's been many warriors to make the transition of life. As history reveals, Greenhill has steered through an array of obstacles. Whether great or mediocre, God’s word continues to prevail. So today, they are humbly thankful for 106 years of existence and service unto the Lord.

Mr. Speaker, I ask my colleagues to join me in recognizing Greenhill Missionary Baptist Church for its dedication for serving our great people.

PERSONAL EXPLANATION
HON. DAVID P. ROE
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. ROE of Tennessee. Mr. Speaker, I was unable to vote yesterday because of the death of a close friend. Had I been present, I would have voted: Roll Call #264—NO, Roll Call #265—NO, Roll Call #266—NAY, Roll Call #267—AYE.

25TH ANNIVERSARY OF D&L FLORIST
HON. JASON SMITH
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the 25th anniversary of D&L Florist in Independence, Missouri.

Since opening its doors in 1990, D&L Florist has been serving the Houston, Plato, and Licking communities, bringing smiles to the faces of area residents in times of sadness and in times of celebration.

As a family owned and operated business for 25 years, D&L Florist appreciates the importance of customer service and connection to the community. The service, products, and community spirit of Sheri and her team make D&L Florist such a special part of our area.

For the gift of service and commitment to serving others, it is my pleasure to recognize D&L Florist of Houston before the United States House of Representatives.

PERSONAL EXPLANATION
HON. BLAKE FARENTHOLD
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. FARENTHOLD. Mr. Speaker, on rollcall Nos. 267, 266, 265, and 264, I missed votes due to severe weather in Washington, DC, causing my flight to be diverted to Norfolk, Virginia.

Had I been present, I would have voted yes on 267 and no on 266, 265, and 264.

CELEBRATING THE 275TH ANNIVERSARY OF THE TOWNSHIP OF PEQUANNOCK
HON. RODNEY P. FRELINGHUYSEN
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Township of Pequannock as it celebrates its 275th Anniversary.

On March 24, 1740, Pequannock was proclaimed one of three townships in colonial New Jersey that were to incorporate Pequonnock Corners. At this time, Pequannock was one of the largest municipalities in the region. Though it is celebrating 275 years of existence, Pequannock’s history extends as far back as the 1600s when European settlers first arrived to the region. Deriving its name from the Lenni Lenape word Paequannock, meaning “cleared land ready or being readied for cultivation,” Pequannock Township has embraced the notion of growth and prosperity.

As it celebrates its 275th Anniversary, Pequannock has experienced many obstacles. Whether great or mediocre, Pequannock has faced with finding a new location for church and service. Rev. W. M. Creshon. Under Rev. Hill led some spiritual followers that had been responsible for the survival and progression of St. Matthew M. B. Church. Rev. Hill led some spiritual followers that had been responsible for the survival and progression of St. Matthew M. B. Church.

The church was later moved to Terry’s Place (the present location of Walkin’s Elementary School) under the leadership of Rev. Johnnie Harris. At this site, Rev. W. L. Jordon took the reign of leadership and completed the construction of the newly relocated building.

Terry’s place was on 16th section school land and had to move. The congregation was faced with finding a new location for church service. With God’s blessings and determination the congregation began searching again. Approximately in 1927 or 1928, Rev. J. D. Hayden became pastor of St. Matthew and purchased deeds for the present location. It was the hope of the members that this would be a permanent place. Rev. Hayden accepted a calling from another church and was succeeded by Rev. W. M. Creshon. Under Rev. Creshon’s sixteen years of service the Church was rebuilt and rapidly became one of the most impressive black churches in the City of Jackson.

During the late 1940’s, St. Matthew M. B. Church served as part of the New Hope Public League, where over 150 women participate in golf outings throughout the year.

To celebrate 275 years of prosperity and cultivation, Pequannock Township plans on hosting several different events. On May 25th, Pequannock will hold a parade commending America, honoring American veterans and their contributions to America’s success. This parade will feature an additional float devoted to the township’s anniversary, and a presentation created by the Pequannock Township Historic Commission honoring American veterans. In addition to the parade, Pequannock will host a street fair, “hoe-down” and an open house at Pequannock Valley Park. These events will occur throughout the summer season and will assuredly make the 275th Anniversary one to remember.

I commend the people of Pequannock Township for their dedication to ensuring that their township remains a wonderful home. Pequannock continues to serve as a model community and will undoubtedly continue to flourish for years to come.

Mr. Speaker, I ask you and my colleagues to join me in congratulating the Township of Pequannock as it celebrates its 275th Anniversary.

HONORING ST. MATTHEW M. B. CHURCH
HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor St. Matthew M. B. Church of Jackson, Mississippi.

In 1900, Rev. Jack Hill called a group of people together for the purpose of worshipping God. It was in a brush harbor located at Trips Crossing (the intersection of Northside Drive and North State Street) there a band of baptized believers decided to follow Rev. Jack Hill. This was the beginning of St. Matthew M. B. Church.

Rev. Hill led some spiritual followers that had been responsible for the survival and progression of St. Matthew. History is not clear of the number of years that early leaders were with the growing Christian followers.

The church was later moved to Terry’s Place (the present location of Walkin’s Elementary School) under the leadership of Rev. Johnnie Harris. At this site, Rev. W. L. Jordon took the reign of leadership and completed the construction of the newly relocated building.

Terry’s place was on 16th section school land and had to move. The congregation was faced with finding a new location for church service. With God’s blessings and determination the congregation began searching again. Approximately in 1927 or 1928, Rev. J. D. Hayden became pastor of St. Matthew and purchased deeds for the present location. It was the hope of the members that this would be a permanent place. Rev. Hayden accepted a calling from another church and was succeeded by Rev. W. M. Creshon. Under Rev. Creshon’s sixteen years of service the Church was rebuilt and rapidly became one of the most impressive black churches in the City of Jackson.

During the late 1940’s, St. Matthew M. B. Church served as part of the New Hope Public
School. This elementary school gave many children an opportunity to get an education. Rev. Creshon was proud of the church and school’s progress. In 1947, Rev. Creshon’s health failed and he resigned his position as a pastor.

Rev. Sylvester Thomas, a young and inspiring minister, was asked to lead the flock. Under his strong hand guided by God, the church was remodeled and a blueprint was drawn to rebuild the present structure. Rev. Thomas served for sixteen years and the congregation grew spiritually. Then Rev. Thomas went to be with the-resident of his heavenly home.

Rev. W. L. McQuirter, the assistant minister, accepted the position as a full-time pastor. St. Matthew continued to grow and Rev. McQuirter worked with the members to erect the present facility we now worship in each Sunday. St. Matthew M. B. Church stands as a beacon in the community.

Mr. Speaker, I ask my colleagues to join me in recognizing St. Matthew M. B. Church.

**COMMEMORATING CARIBBEAN AMERICAN HERITAGE MONTH**

**HON. SHEILA JACKSON LEE**

**OF TEXAS**

**IN THE HOUSE OF REPRESENTATIVES**

**Tuesday, June 2, 2015**

Ms. JACKSON LEE. Mr. Speaker, I rise today in commemoration of Caribbean American Heritage Month, which celebrates and recognizes the significant contributions made by Caribbean Americans that have strengthened our country and made it better.

This month also marks the 53rd anniversaries of independence for the Caribbean nations of Jamaica and of Trinidad and Tobago.

Although a half-century has passed since they gained their independence, the struggle they waged to win their freedom still stands as a testament to the ideals of our own great nation.

I am privileged to represent a large segment of Houston, Texas, which is home to more than 300,000 Americans of Caribbean heritage, making it one of the largest, most diverse, and vibrant Caribbean-American communities in the nation.

Mr. Speaker, Americans of Caribbean heritage have made a positive impact on virtually every aspect of American life, including the arts, science, business, education, athletics, military, and government.

For example, in the area of government and public affairs America has benefitted from the contributions of Colin Powell, a former Secretary of State and Chairman of the Joint Chiefs of Staff; U.N. Ambassador Susan Rice; former Members of Congress Mervyn Dymally and Velma Smith-Jackson; and Shirley Chisholm of New York, and current Congresswoman Emanuella Shows-Matual of California.

Caribbean Americans have enriched American art and culture with the legendary performances of Sidney Poitier, Harry Belafonte, Cicely Tyson, Nia Long, and Cuba Gooding, Jr.; the writings of authors W.E.B. DuBois and Malcolm X; the music of Beyoncé Knowles, Lenny Kravitz, Rihanna, and Wyclef Jean; and the prowess of great athletes like Carl Lewis, Tim Duncan, Patrick Ewing, Sana-dra Richards-Ross, and Ndamukong Suh.

Mr. Speaker, I am very pleased that this Saturday, June 6, the city of Houston will be hosting the 5th annual Caribbean American Heritage Month Festival, which celebrates the rich culture of the Caribbean with a showcase of beautiful costumes, music, food, and enjoyment for all.

I also wish to recognize the leadership of the Caribbean American Heritage Foundation of Texas, which works to assist Texas Caribbean Organizations achieve their goals and to advocate on behalf of the peoples of Caribbean descent.

I congratulate the Caribbean American Heritage Foundation of Texas, the Caribbean Heritage Organization in my home city of Houston, and the many community organizations and volunteers across the nation for their efforts in making Caribbean American Heritage Month the success that it is.

During this month I hope all Americans will join with me in celebrating the remarkable history, culture, and contributions of Caribbean Americans to our nation’s past and future.

**PERSONAL EXPLANATION**

**HON. MARK TAKAI**

**OF HAWAI’I**

**IN THE HOUSE OF REPRESENTATIVES**

**Tuesday, June 2, 2015**

Mr. TAKAI. Mr. Speaker, on Monday, June 1, 2015, I was absent from the House to attend my daughter Kaila’s 6th grade graduation from Waimalu Elementary School in Hawaii. Due to my absence, I am not recorded on any legislative measures for the day. I would like to reflect how I would have voted had I been present for legislative business.

Had I been present, I would have voted “yea” on Roll Call 264, Roll Call 265, and Roll Call 266. On Roll Call 267, and final passage of H.R. 1335, I would have voted “no”.

**30TH ANNIVERSARY OF MO-SCI CORPORATION**

**HON. JASON SMITH**

**OF MISSOURI**

**IN THE HOUSE OF REPRESENTATIVES**

**Tuesday, June 2, 2015**

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the 30th anniversary of Mo-Sci Corporation headquartered in Rolla, Missouri. Since 1985, Mo-Sci has been at the forefront of innovation in the glass and ceramic products industry. They are also celebrating the grand opening of their new 22,000 sq. ft. facility, Mo-Sci Precision Materials.

Mo-Sci was founded by Dr. Delbert Day in order to supply glass and ceramic products for niche market applications. Their founding product was TheraSphere, a glass micro-sphere component that no other company would manufacture and is used to treat inoperable liver cancer. Starting with only one engineer at a rented desk in a university lab, Mo-Sci has since grown into one of the most successful small glass businesses in existence today and serves more than two customers with exports to over 50 countries.

For their continuous development of new and innovative products, as well as their recent expansion, it is my pleasure to recognize the 30th anniversary of Mo-Sci and their achievements before the House of Representatives.

**HONORING THE SERVICE OF MR. CLARENCE EWELL MAZE**

**HON. ANDY BARR**

**OF KENTUCKY**

**IN THE HOUSE OF REPRESENTATIVES**

**Tuesday, June 2, 2015**

Mr. BARR. Mr. Speaker, I rise today to recognize a true American hero, a part of the greatest generation, Mr. Clarence Ewell Maze, of Owingsville, Kentucky. He is to be commended for his distinguished military service during World War II. Mr. Maze served our nation in the United States Army.

Mr. Maze, like many other brave young Americans, left the comforts of home and family and answered the call for duty with the United States military. His service took him to Europe and the Pacific Theater. He fought the German Army in Belgium, France, and Germany. He and his fellow soldiers endured harsh weather conditions, fatigue, hunger, and dangerous enemy fire as they ultimately defeated the Germans. He spent time at the end of the war in Munich, Germany.

Following his service in World War II, Mr. Maze returned home to Bath County. He started his own business, a garage and body shop. For Mr. Maze, this was a fulfillment of the American dream. He has been married to Bernice since 1946. He has a daughter Re-becca and a late son Ricky. Mr. Maze has been a faithful attendee at Polksville First Church of God ever since returning from the war.

Mr. Maze is a true patriot, a good family man, and a servant of the Lord. Because of his courage and the courage of other brave young people, from Owingsville and from all across our great nation, our freedoms have been saved for our generation and for future generations. He is truly an outstanding American, a brave patriot, and a hero to us all.

**HONORING OLD ANTIOCH BAPTIST CHURCH**

**HON. BENNIE G. THOMPSON**

**OF MISSISSIPPI**

**IN THE HOUSE OF REPRESENTATIVES**

**Tuesday, June 2, 2015**

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable historical house of worship, Old Antioch Baptist Church in Sumner, Mississippi, established in 1821.

Old Antioch Baptist Church has been in existence since 1904 in Sumner, Mississippi. The congregation today still consists of many of the founder’s children and grandchildren. In earlier years church services were held only on the second Sunday of each month and had a large congregation, primarily because of the vast Black population around the Sumner community. It was one of the only places they had to worship. Today the membership consists of 60 members, three deacons and two trustees. In 1979 a part of the Old West District School building was added to the Old Antioch Church which added five Sunday school classrooms, a baptismal pool, a kitchen and three bathrooms. In 1991, the Old Antioch
The church activities consist of: Sunday School, Annual Men & Women's Day Programs every second Sunday in October, Family & Friends Day and Mother’s Day Programs in May, Black History Observance in February, Church Anniversary in July, Sunrise services on Easter Sunday, Christmas concert and Thanksgiving programs. All services are held to benefit members of the congregation who may have a need as well as the surrounding communities.

Worship service has changed to every second and fourth Sunday. Old Antioch Baptist Church has had 21 ministers to serve as pastors. Currently Rev. Lorenzo K. Robinson, who is a native of Bolivar County is pastor, ministry of music and Sunday school teacher and trainer of future Sunday school teachers. He has been the pastor for the last 12 years.

Mr. Speaker, I ask my colleagues to join me in recognizing an amazing house of Worship, which has been instrumental in meeting spiritual needs.

HONORING TOM SURDYKE

HON. JASON SMITH
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Mr. Thomas Surdyke of Festus, Missouri, for the outstanding achievement of receiving his Eagle Scout award. This award is not easily attained and cannot be achieved without a steadfast determination to succeed. In order to receive this award, Thomas completed several steps and a service project exemplifying patriotism and his commitment to serve others. Thomas erected a new flag pole by the football field at St. Pius X High School where he played as a student. In addition to earning his Eagle Scout award, Thomas achieved Order of the Arrow Brotherhood, and received the Parvuli Dei and Ad Altere Dei religious emblems. He was senior patrol leader and librarian during his time in Troop 484. He also served as chaplain’s aide on a ten day trek at Philmont Scout Ranch Adventure Base. As a scout, he has learned about service and leadership which were influential in his decision to attend the U.S. Military Academy at West Point to prepare for a career serving as an officer in the United States Army. Thomas is a role model for young and old alike, and it is my pleasure to recognize his achievements before the House of Representatives.

HONORING CYNTHIA T. LEE

HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable and ambitious citizen with a desire to pursue justice for others, Cynthia T. Lee.

Cynthia T. Lee is a native of Raymond, MS. Her parent, Ms. Sonja Wilson Lee and the late grandparents, Annie McCloud and Sam Wilson are very proud of her accomplishments. After graduating from Raymond High School in 2006, she attended Jackson State University and received her Bachelor of Arts degree in Sociology.

While in college, Cynthia developed a passion for social justice-oriented work and decided to further her education at the University of Alabama, where she received a Masters of Social Work degree in May 2012. In the fall of 2012 Cynthia began her matriculation at the University of Mississippi School of Law. Currently, as a third-year law student she has demonstrated her capacity and competence as a leader by serving as the student coordinator for the Pro Bono Initiative and the President of the Public Interest.

Ms. Lee’s Law Foundation is admirable. She was the recipient of the University of Mississippi’s Pro Bono Initiative Service Award, as well as the Adams and Reese Pro Bono Award. In addition, she also serves as a dedicated member of the Trial Advocacy Board, the Law Association for Women, and Black Law Students Association. As a proud member of BLSA, she has served as the 2013–2014 Community Service Committee co-chair and currently serves as the 2014–2015 Black History and Social Action Committee co-chair. Her dedication to service and academics has resulted in her receiving the BLSA Member of the Year and the BLSA 2L Scholarship award. Cynthia is truly thankful to God, her mom, aunts, uncles, family and friends for their continued support of her academic advancement and services to others.

After law school, Cynthia plans to sit for the Mississippi Bar, and pursue a career dedicated to Social Justice with a specific emphasis in Criminal Justice Reform.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08. Today, it is $18,152,851,678,150.27. We’ve added $7,525,974,629,237.19 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.
CELEBRATING THE 30TH ANNIVERSARY OF THE MENTAL HEALTH ASSOCIATION OF PASSAIC COUNTY

HON. RODNEY P. FRELINGHUYSEN
OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to congratulate the Mental Health Association in Passaic County as they celebrate their 30th Anniversary.

The beginnings of the Association began in 1985, when Clifford Beers founded the Connecticut Society for Mental Hygiene, which would later become the National Mental Health Association.

In 1976, the Passaic County Community Companion Program was started by the Mental Health Association in New Jersey. This program was dedicated to helping individuals returning to their communities from state mental health hospitals. Volunteers were trained to work with individuals with mental illness one-on-one to ensure a successful return home.

Three years later, the plans to create a Mental Health Association Chapter in Passaic County began. By this time, the Passaic County Community Companion Program had helped 75 Passaic County residents.

At its annual meeting, the Mental Health Association in New Jersey voted full chapter status to the Mental Health Association in Passaic County. The Association offered the Community Companions and Family Companions programs, a self-esteem program for former patients and families of those with mental illness; a self-esteem program for grade-school children; the Mental Health Players; services to the homeless with mental illness, and a referral and information service. All of these services were and still are free of charge, thanks to over 100 Passaic County residents who volunteer their time to the MHAPC so many can benefit from their hard work.

As time went on, the Program’s services continued to grow. In 1987, the Crossover Program began, helping young adults with mental illness. In 1997 the Peer Outreach Support Team (POST) was created to help consumers with mental illness provide support to those living in supportive housing. Most recently, the Arab-American Community Services Partnership was created in 2005, with a goal of forging cooperative efforts to address mental health services that are needed and to increase cultural understanding.

Through all of the Association’s fantastic work, it is no surprise that in 2003 the Consumer Parent Support Network received the honor of Best Practice Program for the Prevention of Neglect and Abuse for the Northern Region of New Jersey.

Mr. Speaker, I urge you and all of my colleagues to join me in congratulating the Mental Health Association in Passaic County as they celebrate their 30th Anniversary.

THE ACCURACY IN MEDICARE PHYSICIAN PAYMENT ACT OF 2015

HON. JIM McDERMOTT
OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. McDERMOTT. Mr. Speaker, today I am proud to introduce the Accuracy in Medicare Physician Payment Act, legislation that will provide the Centers for Medicaid and Medicare Services (CMS) with important tools that will strengthen primary care in this country.

For too long, Medicare has relied upon a flawed process to set payment rates for services on the physician fee schedule. Since 1991, CMS has outsourced the process of valuing physician services to the Relative Value Scale Update Committee (RUC), a secretive 31-member panel of doctors. The RUC’s composition is shaped by the American Medical Association, and specialty societies are grossly overrepresented in its membership. As a private entity, the RUC is exempt from transparency laws, and the justifications for the committee’s recommendations are opaque.

The RUC is extremely influential. From 1994 to 2010, CMS accepted approximately 90 percent of the committee’s recommendations, and—although CMS has promised in recent years—the RUC continues to exert tremendous power over Medicare. This has far-reaching implications for the entire American healthcare system, as Medicare’s rates strongly influence the reimbursement rates of private insurers.

Meanwhile, our country faces a growing crisis in its primary care workforce. The Health Resources and Services Administration estimates that there will be a nationwide shortage of over 20,000 primary care doctors by 2020. Primary care providers—particularly those who practice in low-income and rural areas—are compensated at much lower rates than specialists. Recent medical graduates, who on average are saddled with about $170,000 in educational debt, are steered away from lower-paying work in primary care toward lucrative specialties that serve millions of Americans without access to the care they need, threatening their health security and ultimately driving up healthcare costs for the entire country.

By distorting payment rates in favor of specialty services, the RUC has had a direct role in creating this crisis. Calls to reform its processes are growing. A recent report by the Government Accountability Office has called into question the accuracy of the RUC’s recommendations due to weaknesses in its data collection methods and conflicts of interest by its members.

The Accuracy in Medicare Physician Payment Act will reform this flawed system. It will give CMS the tools it needs to ensure that payment rates serve the needs of the American people, not the needs of highly-compensated specialists. This legislation will establish an independent panel of experts within CMS that will identify distortions in payment rates and help Medicare develop evidenced-based updates to the fee schedule. Its processes will be highly transparent, and it will be subject to the Sunshine Act.

In the House of Representatives, the Accuracy in Medicare Physician Payment Act, which requires advisory bodies to hold open meetings and publish minutes. If necessary, CMS may still seek input from the RUC, but all recommendations would be carefully scrutinized by the expert panel.

This legislation will ensure that the process of setting physician payment rates is subject to rigorous oversight, independent analysis by experts, and meaningful transparency. It will put an end to a flawed process that has contributed to a healthcare system that drives thousands of young doctors away from where they are needed most.

HONORING JOE DOWLING ON THE OCCASION OF HIS RETIREMENT FROM THE GUTHRIE THEATER

HON. BETTY McCOLLUM
OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Ms. McCOLLUM. Mr. Speaker, I rise to pay tribute to Mr. Joe Dowling, who is retiring in June from the Guthrie Theater in Minneapolis, Minnesota after serving 20 distinguished years as Artistic Director. During Mr. Dowling’s impressive tenure, he has directed more than 50 shows and reinforced the foundation for this world-class Minnesota cultural cornerstone.

Mr. Dowling joined the Guthrie as Artistic Director in 1993, bringing to Guthrie an active and tireless dedication to the arts after leading other theater companies in his native Ireland. Among Mr. Dowling’s many achievements is the development of training programs like the University of Minnesota/Guthrie Theater B.F.A. Actor Training Program and A Guthrie Experience for Actors in Training. He also solidified a partnership with The Acting Company of New York and created the WorldStage Series, two programs that allow local talent to tour the U.S. and in turn welcomes internationally renowned theater programs to Minnesota. He has also shared his vision and talents on Broadway and at other prominent venues throughout the United States and Europe.

Perhaps Mr. Dowling’s deepest legacy is the success of a $125 million capital campaign and construction of a new theater home which was completed in 2006. Designed by French architect Jean Nouvel, the theater is an architectural gem. At 285,000 square feet, the new Guthrie includes public gathering spaces and restaurants, and a 178-foot “endless bridge” that highlights a spectacular, soaring view of the mighty Mississippi River. The heart of the new Guthrie are three unique theaters offering special performance spaces and viewing perspectives. The Dowling Studio in particular is an intimate 200 person black box theater that has welcomed 33 local premieres and stands as a testament to its namesake’s commitment to developing and showcasing the Twin Cities arts community.

In a metropolitan area that boasts more theaters per capita than anywhere else in the U.S. outside of New York, Minnesotans take great pride in our thriving, high quality performing arts community. Experiencing a performance at the Guthrie is a particular joy, and I attend shows there whenever I can. I am clearly not alone, because under Dowling’s leadership, the Guthrie is a theater that entertains, enriches and enlightens 400,000 patrons each year.

Mr. Speaker, it is a privilege to rise to honor Mr. Dowling and his many contributions to the rich cultural landscape in Minnesota as the
CELEBRATING THE 75TH ANNIVERSARY OF THE NEW JERSEY STATE FAIR AND SUSSEX COUNTY FARM AND HORSE SHOW

HON. RODNEY P. FRELINGHUYSEN
NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to ask my fellow colleagues to join me in the recognition of the 75th Anniversary of the New Jersey State Fair and Sussex County Farm & Horse Show. Drawing in roughly under a quarter million attendees annually in recent years, this event reflects upon a rich heritage and culture of which we should all be very proud.

From what began over 75 years ago as a small town horse and farm show, the fair has blossomed into the famous state event we appreciate and enjoy today across the entire Tri-State area. Since 1999, the Sussex County Farm & Horse Show has been incorporated into the New Jersey State Fair, and it remains an integral piece of its history.

Since their inclusion into the New Jersey State Fair, these Fairgrounds have provided a welcome home for a wide variety of events as well as a place for learning and tourism. This year’s fair will extend over a period of 10 days and include a multitude of enjoyable attractions, expositions, and performances, including a carnival, circus, and even a demolition derby. Aside from these attractions, the fair serves as a promotion for the importance of local agriculture and showcases some of the beauty that characterizes the Garden State. In an effort to do this, a vegetable show, the Flower & Garden Expo, and livestock shows have all been included in the fair’s itinerary. Always looking to provide an opportunity for local vendors, the fair will also allocate showcases for the best produce and livestock from our local farmers, and agriculture will also be major aspects of the event, and attractions such as an Art expo, talent completion, and a robotics display shall offer attendees an exciting and informative perspective on some of the best New Jersey has to offer.

Held annually in Augusta, New Jersey, the New Jersey State Fair has grown to include a permanent complex of 15 buildings stretching over an impressive 165 acres. The fair’s popularity has increased steadily since its inception and this is a testament to its continued success. It will have been 75 years since the local Sussex horse and farm shows merged to form the Sussex County Farm and Horse Show in an effort to increase public appreciation for agriculture in New Jersey. Since then, the once tiny event has surpassed all expectations; becoming a cultural fair in the Garden State. Today, we honor that achievement and all the experiences yet to be had today and in years to come.

I commend the Sussex County Farm & Horse Show Association for their continued commitment to providing such a rich educational experience for the people of New Jersey and the wider Tri-State area. Mr. Speaker, I ask you and all my colleagues to join me in congratulating the New Jersey State Fair/Sussex County Farm & Horse Show as it celebrates its 75th Anniversary.

HONORING CADET COL GREGORY WILSON

HON. BENNIE G. THOMPSON
MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable Cadet COL Gregory Wilson, a senior at Murrah High School, is the Jackson Public Schools JROTC Cadet of the Year for 2015. While maintaining a 3.8 grade point average, Cadet Wilson has held several key leadership positions in the Battalion throughout his high school tenure. Cadet Wilson is a proud member of the National Honor Society and National Junior Classical League. He recently attended the American Legion Boys State where he was elected state treasurer.

Cadet Wilson has also been actively involved in a variety of community service projects including Stewpot Summer Enrichment and Stop Hunger Now. Currently, he serves as the Cadet Battalion Commander for the “Mustang” Battalion. Cadet Wilson has been accepted to several colleges including the prestigious University of Mississippi Honors College. After graduating from Murrah with honors, Cadet Wilson will attend the University of Mississippi. He plans to attend medical school at an Army residency program. His vision is to become a pathologist for the United States Army.

Mr. Speaker, I ask my colleagues to join me in recognizing Cadet COL Gregory Wilson.

IN SUPPORT OF “LGBT PRIDE MONTH AND HOUSTON PRIDE WEEK”

HON. SHEILA JACKSON LEE
TENNESSEE
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise to commemorate LGBT Pride Month and the remarkable progress that has been made in making our country more diverse and tolerant and embracing of differences in the 17 years since the cruel murder of Matthew Shepard, a college student from Laramie, Wyoming.

As a country, America has made and continues to make great progress in the area of social equality, as evidenced most dramatically by the seismic shift in public support for marriage equality over the past decade. Today, supporters of marriage equality dramatically outnumber opponents by 61%–35%; a near total reversal from 2004, when opponents outnumbered supporters 56–39 percent.

Our country made progress in bringing our LGBT brothers and sisters, mothers and fathers out of the shadows with the repeal of “Don’t Ask, Don’t Tell,” which I was proud to support. Our nation is now stronger and our people are safer thanks to the sacrifices made by these brave Americans, who also have to choose between service and silence.

There have been other changes for the better.

In April 2015, President Obama issued a landmark Executive Order prohibiting discrimination against LGBT persons in the workplace.

This civil rights victory ensures the tax dollars used to pay government contractors support contractors that are committed to equal employment opportunity for all persons regardless of sexual orientation.

This legislation marks a major shift from a time when the U.S. Civil Service Commission prohibited the hiring of LGBT persons to a time when the Secretary of Defense has selected openly gay men as his chief of staff.

Mr. Speaker, this year marks the 46th anniversary of the LGBT Civil Rights Movement, where activists such as Frank Kameny led the struggle for the voices of the LGBT community to be heard.

Frank Kameny’s courageous demonstrations inspired others to resist mistreatment and we witnessed in 1969 what happens when a community says enough is enough.

Our country has made progress since the Stonewall uprising of 1969, and with the support of equal rights for all communities by leaders such as President Barack Obama, more and more voices are being heard.

Mr. Speaker, although more remains to be done to realize the full promise of America that all are equally treated and protected by law, it is undeniable that America is closer to realizing that promise than it was during the dark days of Stonewall.

So there is much reason for joy and optimism when my home city of Houston celebrates Houston Pride Week later this month, from June 21–28, 2015.

According to the 2010 U.S. Census, the 16th largest LGBT community in the nation is located in the Houston metropolitan area, which I am privileged to represent.

The Houston LGBT community is culturally diverse, economically dynamic, and artistically vibrant.

Houston Pride Week has been an annual event for the last 36 years, since 1979, and promotes the individuality of Houston’s ever-growing LGBT community.

The Pride Festival and Parade are at the center of the Celebration and are annually attended by more than 400,000 people from Houston and around the world.

Mr. Speaker, progress is made through the efforts of courageous leaders who actively engage their communities and face adversity to ensure that the rights of all are clearly recognized and protected.

People like the legendary Bayard Rustin, who organized the 1947 Journey of Reconciliation which inspired the Freedom Rides of the 1960s and helped Dr. King organize the Southern Christian Leadership Conference and who was the driving force behind the historic 1963 March on Washington.

Texas natives such as Sheryl Swoopes, a 3-time WNBA Most Valuable Player and champion for the Houston Comets, Houston Mayor Annise Parker.

These leaders have set an example of what can happen when we lift the limits of inequality and support our fellow Americans in their pursuit of their inalienable rights.

Other members of the LGBT community whose contributions have enriched American culture and made our country better include the great poet Langston Hughes; Mandy Carter, 2008 national co-chair of Obama Pride
and lifelong activist; Billy Strayhorn, the musician and gifted composer whose 30-year collaboration with Duke Ellington gave the world some of the greatest jazz music ever; Tom Waddell, army medical doctor and Olympic athlete; and James Baldwin, one of the towering figures in the history of American literature.

Mr. Speaker, I am proud to acknowledge the achievements of just a few of the countless number of Americans who overcame prejudice and discrimination to make America a more welcoming place for succeeding generations of LGBT community members.

HONORING BRIGETTA K. TURNER
HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Dr. Brigetta K. Turner, who is a 1982 graduate of Tougaloo College and obtained her Doctorate of Dental Surgery Degree from Meharry Medical College. She presently practices dentistry on Tougaloo’s campus in the Owens Health and Wellness Center and has been in private practice for over 25 years.

She loves playing the piano and shares her gift at Mt. Nebo M. B. Church. She loves Tougaloo and is ready to help bring Tougaloo to the world. Dr. Turner is a life member of TCNAA, a 2008 Hall of Fame Inductee. She is also a Secretary of the Mississippi Dental Society.

Mr. Speaker, I ask my colleagues to join me in recognizing Dr. Brigetta K. Turner for her dedication to serving others.

HONORING THE SERVICE OF REV. GUY S. MCKENZIE
HON. ANDY BARR
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. BARR. Mr. Speaker, I rise today to recognize an outstanding individual, Reverend Guy S. McKenzie of Owingsville, Kentucky, for his distinguished military service during World War II. Reverend McKenzie served our nation in uniform from 1943 to 1946.

Reverend McKenzie spent his early years in farming. At the age of 19, he enlisted in the United States Navy. Shortly after enlisting, he began training for a career in the South Pacific.

Not long after his deployment, Reverend McKenzie was assigned to the USS Houston. While the ship was traveling from Pearl Harbor to Formosa, now known as Taiwan, the ship came under heavy fire from the Japanese. It was torpedoned by a Japanese submarine, cutting an immense gash in the side of her hull.

As the ship was sinking, Reverend McKenzie thought about his life and wondered if these were his final moments on earth. He jumped in the water, began to pray, and promised the Lord that he would serve him for the rest of his life if he would be spared. After floating for some time in the ocean, the USS Lofberg came along and rescued McKenzie and the remaining survivors.

Reverend McKenzie spent the rest of his tour of duty aboard the USS Lofberg. He was honorably discharged from the United States Navy in 1946 with the rank of First Seaman and returned home to his family. Two years after his return, he kept his promise and gave his life to the Lord.

Ten years later, he began preaching. Reverend McKenzie retired after 26 years of pastoring. Because of his love, compassion, and caring service, he impacted many lives. Reverend McKenzie has been married to Joyce for 70 years. They have six children, eleven grandchildren, ten great grandchildren, and two great, great grandchildren. Reverend McKenzie is to be commended for his brave service to his country, his strong passion for the Lord, and his loyal life as a family man.

Reverend McKenzie’s bravery and that of his fellow men and women in uniform secured our freedoms for future generations. He is truly an outstanding American, a protector of freedom, and an inspiration to us all.

HONORING THE WAL-MART DISTRIBUTION CENTER
HON. JASON SMITH
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the Wal-Mart Distribution Center located in St. James, Missouri, for being named the Wal-Mart Distribution Center of the Year for 2014. This prestigious award is not easily attained as it recognizes just one out of all the Wal-Mart distribution centers in the United States.

In order to receive this award, the employes of the distribution center in St. James distinguished themselves through their hard work, dedication, and by setting an example for others to follow. I am very proud of their service to the community of Phelps County and the surrounding area.

Their work ethic is truly admirable and it is my pleasure to recognize their achievements before the House of Representatives.

INTRODUCTION STATEMENT: GUN VIOLENCE RESEARCH LEGISLATION
HON. CAROLYN B. MALONEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today I am proud to reintroduce legislation to finally permit the use of federal funds for long overdue research on firearm safety and gun violence.

For too long, Congress has failed to address the public health crisis caused by gun violence. On average, there are 32,000 deaths and 76,000 injuries from gun violence each year in the United States. Gun deaths now outweigh traffic fatalities in our country. It is time to address the epidemic of gun violence and prevent future incidents. Public health research will help find effective solutions we can implement in order to save lives.

The bill I introduce today, with companion legislation introduced by Sen. Ed Markey, would authorize $10 million in annual funding for the Centers for Disease Control and Prevention (CDC) through Fiscal Year 2021. This funding will allow the CDC to implement the research agenda outlined in a 2013 report issued by the Institutes of Medicine that identified areas in need of study to better understand the underlying causes of gun violence and develop strategies for prevention.

Federal funding for gun violence research halted in the mid-1990s. As a result, policy-makers and community leaders lack the authoritative public health research they need to address the horrifying persistence of gun violence. We have more gun-related deaths than any other developed country, yet we lack comprehensive, scientific information about the causes and characteristics of gun violence.

This public health crisis cannot be ignored any longer, and I’m proud to introduce this legislation that addresses the epidemic of gun violence and identifies the best strategies to prevent future incidents.

HONORING SERGEANT CHRISTOPHER D. BOOKER
HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a veteran, Sergeant Christopher Dwayne Booker. Christopher has shown what can be done through ambition, tenacity and a desire to serve others.

Sergeant Christopher D. Booker a resident of Cape Girardeau, Missouri was born April 23, 1971, to Gloria and William Booker. He graduated in 1990 from Rolling Fork High School.

In September 1989 Christopher enlisted in the Mississippi Army National Guard. He was mobilized for Desert Storm in December 1990 until May 1991. In November of 2005 to February of 2006 Sergeant Booker’s unit was activated to Operation Enduring Freedom in Afghanistan. He retired from the MS National Guard in September 2015 after serving over twenty-five years.

Christopher worked for Sharkey County as a machine operator for 10 years. Currently, he works for the Town of Cary, MS as a Water and Sewer Operator.

Sergeant Booker is a member of E. P. Baptist Church in Rolling Fork, Mississippi since 1989. He is thoroughly involved in the community. He organized the Annual Community Clean-up for Maiden Addition, a small community in Cary, MS; serves as a volunteer coach for both the Cary Little League Softball and Baseball teams and is a volunteer firefighters for the Town of Cary. Christopher is an avid hunter and is the President of the New Filler Hunting Club, a third degree Freemason and a member of the Faith Outreach Men Bible Study at Mt. Zion M. B. Church.

Christopher has earned several certifications. He received his certification for Army Traffic Safety, Combat Lifesaver, Water Treatment Specialist Phase I, Homeland Security Training and Parent Applicant Training.

He is the proud father of three children, Herman D. Scott, Christopher D. Booker and Gloria K. Booker. He has one grandson, Brayden Adams.

Mr. Speaker, I ask my colleagues to join me in recognizing Sergeant Christopher D. Booker.
for his passion and dedication to serving our great Country, his community and desire to make a difference in the lives of others.

ERIC LI NAMED PRUDENTIAL NATIONAL HONOREE

HON. PETE OLSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Eric Li for being named one of ten national honorees for the 2015 Prudential Spirit of Community Awards.

Eric’s dedication to community service started at a young age when he spearheaded a school-wide relief effort following a deadly earthquake in Sichuan, China. He and his sisters also founded a nonprofit organization called We Care Act. The organization helps children around the world recover from major natural disasters. Currently, he is teaching his peers at Pearland Junior High West to refurbish computers that will be sent to orphans in third world countries.

At such a young age, Eric has already impacted so many children around the world. On behalf of the Twenty-Second Congressional District, thank you for your commitment to philanthropy and congratulations on this remarkable achievement.

TRIBUTE TO MR. JOSEPH ALEXANDER SCOTT, JR.

HON. HENRY CUELLAR
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. CUELLAR. Mr. Speaker, I rise today to commemorate the life of Mr. Joseph Alexander Scott, Jr. The City of San Antonio and the Great State of Texas lost a community leader, civic activist, job creator, and friend with the passing of this great man.

Born on January 31, 1928 in Dallas, Joe Scott spent his life in service to those around him. From his service as a Second Lieutenant in the United States Army in the Korean War to his fourteen years as a teacher in Edgewood ISD and his unmatched record as a leader in his Eastside community, Joe Scott truly embodied the concept of service above self.

Mr. Scott earned a bachelor’s degree from Prairie View A&M University, a Master’s degree from the University of the Lake, and attended St. Mary’s University Law School.

Mr. Scott was first and foremost a family man. He was the first African-American licensed insurance agent in San Antonio and founded World Technical Services, Inc. (WTS) to provide jobs for people with severe disabilities and those who are unable to find employment due to past substance abuse or incarceration.

Mr. Speaker, it is my privilege to honor the legacy of Joseph Alexander Scott, Jr. He was my dear friend. I will miss his friendship and the City of San Antonio will miss his leadership, but his legacy will live on and he will be forever remembered.

LUTHERAN SOUTH ACADEMY CHAMPIONSHIPS

HON. PETE OLSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate the baseball and softball teams at Lutheran South Academy for winning the Texas Association of Private and Parochial Schools (TAPPS) 4A state championships.

The road to success was not easy, but both teams persevered and brought home two state trophies. Lutheran South Pioneer baseball team finished the season with an 8-game winning streak that was capped off with a victory at the TAPPS 4A state tournament. The Lady Pioneer softball team completed their successful season with a shutout victory at the state championship. Each of these young athletes and their coaches has put in the time and the effort to become state champions. I am excited to see what these young athletes achieve throughout their time on the diamond.

It’s time for Lutheran South to expand their trophy case.

On behalf of the Twenty-Second Congressional District of Texas, congratulations on this outstanding victory. Thank you for bringing the gold back home.

IN HONOR OF CHRIS NORTON, LUTHER COLLEGE CLASS OF 2015 AND SPINAL CORD INJURY ADVOCATE

HON. ROD BLUM
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. BLUM. Mr. Speaker, I rise today to honor Chris Norton, an advocate for those recovering from spinal cord injuries and a graduate of Luther College, Class of 2015 in Decorah, Iowa.

During his freshman football season, Chris sustained a serious injury that left him paralyzed from the neck down. In the aftermath of his injury, doctors informed Chris he had a 3% chance of ever walking again. This exceptional young man, after years of physical therapy and rehabilitation, overcame those odds and walked across the stage at his graduation this past weekend.

Moved to action by people with similar injuries he met during his rehabilitation, Chris, his family, and his friends started the Spinal Cord Injury (SCI) CAN Foundation. This foundation is committed to increasing access to quality therapy options for those with spinal cord injuries. Recently, SCI CAN donated $60,000 to Des Moines University, bringing the total donations of the Foundation to nearly $375,000 to assist in spinal cord injury recovery.

I applaud Chris’ important work with SCI CAN, his message of hope and healing, and wish him as well as he continues to recover from his injury. I firmly believe Chris is both an inspirational figure and asset to his community. I wish Chris and his family the very best as they begin the next chapter of their lives.

I encourage everyone to learn more about the SCI CAN Foundation by visiting their Facebook page at www.facebook.com/TheSciCanProject.

STAFFORD TRACK AND FIELD

HON. PETE OLSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate the Stafford Track and Field Team for earning the Class 4A second-place team state championship trophy.

Despite immense adversity during the final moments of the competition, the Stafford Team competed and brought home the silver. This win reflects the entire team’s dedication to the sport, including outstanding efforts by Lynette Amaran and the young men of the 400 meter relay who both brought home gold medals. We are extremely proud of each individual on the team and the coaching efforts of Mr. Sergio Hinojosa.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to the entire team in representing Stafford High School in the State Track and Field Championship.

HOW TO PREVENT THE FALL OF BAGHDAD

HON. PETER T. KING
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. KING of New York. Mr. Speaker, Islamic State (ISIS) is a massive threat to America’s national interests and to human decency. Each day brings more news of ISIS advances, terrorist attacks, military gains and horrible atrocities. And each day the Administration continues to deny its policies are failing.

Mr. Speaker, I believe that ISIS can indeed be stopped if it heeds the thoughtful recommendations which Kevin Carroll detailed in his May 27, 2015 Wall Street Journal OP/ED ("How to Prevent the Fall of Baghdad").

Mr. Carroll speaks with authority and first-hand knowledge. He served as a U.S. Army officer in Iraq and Afghanistan and as a CIA case officer in a Middle East war zone. Also, I had the benefit of having Kevin Carroll serve as Senior Counsel when I chaired the House Homeland Security Committee in 2011–2012. I found his advice to be invaluable. I urge the Administration to follow his advice today. I am proud to submit Kevin Carroll’s article and urge all members to read and give thoughtful consideration to his proposals.

ISLAMIC STATE IS LIKELY TO USE THE TACTICS THAT WORKED IN RAMADI. THE U.S. CAN DO MUCH TO CHANGE THE TREND.

Islamic State, also known as ISIS, has seized control of Ramadi, the capital of Anbar province just 70 highway miles from Baghdad. Fallujah, located between, is already a terror stronghold.

There is little doubt that ISIS leader Abu Bakr al-Baghdadi plans to capture the city whose name he bears. A man who declared himself a caliph, Baghdad knew his home was the seat of the Abbasid caliphate, founded in the eighth century to which ISIS would like to return.

It would be a mistake for the Obama administration to continue to underestimate ISIS as the junior varsity. ISIS demonstrated operational capability recently, attacking in opposite directions to occupy both Ramadi and Palmuya, deep inside Syria.

Mr. Speaker, let us learn from the contributions of Mr. Carroll and others in the House to forge a way to prevent the fall of Baghdad and to ensure America’s national interests are protected.

Mr. Speaker, I yield back to the gentleman from the Twenty-Second District.
vital road from the city to that airfield. More Marines can better defend the U.S. Embassy in Baghdad. Americans can stiffen Iraqi lines around the city, and provide artillery and engineer units needed in urban combat. U.S. cavalry units can launch what imperial Britain called "punitive expeditions" to destroy ISIS lairs further afield.

The arrival of thousands more American fighting men will improve the Iraqi army's performance. It was no accident that the Sunni Awakening and U.S. surge succeeded at the same time in 2006-07. As U.S. troops poured in, Sunnis cast their lot with the U.S. and the back of ISIS's predecessor, al Qaeda in Iraq, and drove it abroad.

At that campaign's height, commanders conducted multiple missions every night. They analyzed intelligence collected on one "objective" to find and fix targets they finished on successive raids. The rhythm, persistence and sheer number of those operations crushed the enemy. Emulate them now, starting near Baghdad.

Capture and interrogate ISIS leaders. Much of the intelligence exploited on those missions came from documents and electronics found in terrorist safe houses. But the best came from interrogations, some conducted on the battlefield as the smoke cleared.

Interrogators acted within the bounds of decency against evil men who deserved no quarter. Yet neither were military and CIA personnel constrained by the rules of evidence and criminal procedure, because their goal was conviction, but the location of the next high-value target. A robust program of capturing and roughly interrogating terrorists abroad should resume, first focused on the whereabouts of ISIS operatives in and around Baghdad.

There is also a role for police work. ISIS has devotees in all 50 U.S. states; hundreds of Americans have joined to fight for them, and some number have returned. The FBI and state and local law enforcement should make aggressive use of antiterror statutes to question and deport terror suspects who may be in contact with terror leaders with details of ISIS plans regarding Baghdad. Congress should reauthorize the National Security Agency's signals intelligence programs identifying such communications between Americans and known terrorists abroad.

Send ground combat forces. Despite U.S. efforts to retrain them, the Iraqi army is now unable or unwilling to stand and fight ISIS alone. Its commanders have shamefully thrown down their weapons, discarded their uniforms, and abandoned their men and posts when ISIS threatens. The Iraqi army needs a big breath of fresh air.

U.S. airborne units can arrive quickly to secure Baghdad's airport and the long and

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Kechi Okwuchi's St. Thomas University Graduation

**HON. PETE OLSON**

**OF TEXAS**

**IN THE HOUSE OF REPRESENTATIVES**

**Tuesday, June 2, 2015**

Mr. OLSON. Mr. Speaker, I rise today to applaud Kechi Okwuchi, for her recent graduation from St. Thomas University in Houston.

Over the past ten years, Kechi has had to overcome many hardships. On December 10, 2005 Kechi was the only survivor of a horrific plane crash in Nigeria where her plane made a crash landing nearly 70 miles off the runway. The crash claimed the lives of all of the other passengers on board including 108 of Kechi's classmates and friends. After receiving medical treatment in South Africa, Kechi moved to Pearland to receive medical treatment at the Shriners Hospital for Children in Galveston. At her May 16th Commencement Ceremony, Kechi was selected to give a speech before crossing the stage and receiving her degree. She has met and conquered many obstacles on her way to receiving her diploma. Her positive outlook throughout it all is truly an inspiration.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Kechi for graduating from St. Thomas University.

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Jaelynn Walls Girl Scouts of the USA Gold Award

**HON. PETE OLSON**

**OF TEXAS**

**IN THE HOUSE OF REPRESENTATIVES**

**Tuesday, June 2, 2015**

Mr. OLSON. Mr. Speaker, I rise today to congratulate Jaelynn Walls, for earning the Girl Scouts of the USA Gold Award, the most prestigious Girl Scout honor.
Jaelynn is a tenth-grader at Carnegie Vanguard High School. She earned the award for her diligent work and dedication to spread her “No Texts, No Wrecks” campaign. Jaelynn recruited more than 15 volunteers to accompany her to driving schools in her community to stress the importance of not texting and driving. So far, they have collected more than 400 pledges from young drivers who promised to not text and drive. Jaelynn has been a member of the San Jacinto Council for 13 years and previously earned the Girl Scout Bronze and Silver Awards. What an accomplished young woman.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Jaelynn Walls for receiving the Girl Scouts of the USA Gold Award.

IN HONOR OF BRYAN KECK, SCRIPPS NATIONAL SPELLING BEE PARTICIPANT FROM DUBUQUE, IOWA

HON. PETE OLSON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate a constituent from my district, Bryan Keck from Dubuque, Iowa, on his participation in the Scripps National Spelling Bee.

Bryan, a seventh grader at Eleanor Roosevelt Middle School in Dubuque, Iowa, won the Telegraph Herald Media Regional Spelling Bee last March to earn a spot in the national spelling bee. Last week, he and his family traveled to National Harbor, Maryland where 285 spellers from across the United States competed during Bee Week 2015 at the Gaylord National Resort and Convention Center.

In the preliminary round, Bryan correctly spelled “omnivorous”—an adjective meaning “of an animal or person feeding on food of both plant and animal origin.” He also correctly spelled “rhizophor”—a noun that classifies certain types of beetles.

In his free time, Bryan enjoys, giving back to his community through the Boy Scouts, going bowling, playing Minecraft, and reading crime novels. He hopes to one day become a federal prosecutor.

I would like to extend my sincerest congratulations, c-o-n-g-r-a-t-u-l-a-t-i-o-n-s, congratulations to Bryan on his participation in the Scripps National Spelling Bee and wish him well in all his future endeavors.

RECOGNIZING MATTHEW MURRAY
HON. PETE OLSON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Matthew Murray for winning Top Male Individual at the 16th Annual Texas State High School Triathlon Championships.

Matthew, a junior at Dawson High School in Pearland, was among almost 250 competitors from around Texas. Each competitor was required to compete in a 500 meter lake swim, 14 mile bike ride and 3 mile run. Matthew’s win speaks to his dedication to the sport and immense athletic ability. This was his second year in a row to win Top Male Individual. He has made his family, coaches and community proud. We wish him the best of luck in his future endeavors.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Matthew for his back-to-back wins of Top Male Individual at this year’s Triathlon Championships.

CLEMENTS HIGH SCHOOL MIXED RELAY TEAM
HON. PETE OLSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 2, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Christy Lee, Yaobin Chen, Mia Craven for earning the Top Mixed Relay Award during the 16th Annual Texas State High School Triathlon Championships.

These Clements High School athletes were among almost 250 competitors from Texas competing in this race. Each relay team was required to compete in a 500 meter lake swim, 14 mile bike ride and 3 mile run. Their win recognizes the team’s dedication to the sport and immense athletic ability. We wish the team luck throughout their academic and athletic careers.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Christy, Yaobin, and Mia for winning the Top Mixed Relay award in this year’s Triathlon Championships.
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. BECERRA. Mr. Speaker, I was unavoidably detained and missed roll call votes 264, 265, 266, and 267. If present, I would have voted "yea" on roll call 264, "yea" on roll call 265, "yea" on roll call 266, and "no" on roll call 267.

PERSONAL EXPLANATION

HON. SEAN P. DUFFY OF WISCONSIN IN THE HOUSE OF REPRESENTATIVES Tuesday, June 2, 2015

Mr. DUFFY. Mr. Speaker, Monday, June 1, 2015, I was unavoidably detained traveling from Wisconsin due to a weather related flight delay. Had I been present, I would have voted in the following ways:

1.) On roll call no. 264 (Dingell Amendment to H.R. 1335)—No
2.) On roll call no. 265 (Lowenthal Amendment to H.R. 1335)—No
3.) On roll call no. 266 (Democrat motion to recommit to H.R. 1335)—No
4.) On roll call no. 267 (Passage of H.R. 1335)—Aye

PERSONAL EXPLANATION

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PERSONAL EXPLANATION

HON. CHARLES B. RANGEI OF NEW YORK IN THE HOUSE OF REPRESENTATIVES Tuesday, June 2, 2015

Mr. RANGEI. Mr. Speaker, I rise today to recognize Sergeant Henry Johnson. Sergeant Johnson epitomizes what it means to be a great American hero and patriot. I thank President Barack Obama for posthumously awarding the Medal of Honor to Sgt. Johnson, a New York native and distinguished member of the 369th Infantry Regiment, popularly known as the ‘Harlem Hellfighters.’ With our nation’s highest honor of valor bestowed upon Sgt. Johnson, his legacy will be enduring and highlighted in the annals of history.

As a black soldier living in the first decades of the 20th Century, Sgt. Johnson never saw the accolades he so rightly deserved during his lifetime. He enlisted in the military soon after Congress declared war on Germany in June 1917, and was assigned to Company C, 15th New York (Colored) Infantry Regiment—an all-black National Guard unit, which would later become the 369th Infantry Regiment of the 93rd Division, American Expeditionary Forces. The following year, the 369th deployed to France where Sgt. Johnson fought off advancing German soldiers who were trying to raid his American camp. Even as he was wounded 21 times, Sgt. Johnson risked his own life to save a fellow soldier from being captured or killed. Indeed, Sgt. Johnson valiantly held back the enemy force until they retreated.

In addition to earning respect from his fellow American and French soldiers, Sgt. Johnson’s remarkable deed of courage inspired other black soldiers like me to salute the flag and serve our country with pride and distinction. As a Korean War Veteran, I learned from Sgt. Johnson and other heroes of the 369th Infantry Regiment who fought in World War I and World War II the true meaning of service and sacrifice for the nation.

Since its inception, the ‘Harlem Hellfighters’ of the 369th Infantry Regiment have participated in every conflict since World War I, including the battles we fight today. I am honored to belong to the 369th Harlem Hellfighter Veterans’ Association based in Harlem of my congressional district. Along with my dear friend Percy Ellis Sutton, former U.S. Attorney Paul Zuber and William K. Defosset, our comrades in arms, friends in Congress and the community, as it marks a significant milestone in American history. We are exceedingly proud to see that Sgt. Henry Johnson has finally received the proper recognition he has duly earned.

RECOGNIZING JUDSON HIGH SCHOOL WOMEN’S TRACK AND FIELD TEAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 2, 2015

Mr. CUÉLLAR. Mr. Speaker, I rise today to recognize the Judson High School women’s track and field team for their second state championship win under the leadership of Coach Renee Gerbich.

On Saturday, May 16th, the Judson Rockets earned their spot as champions when Darionne Gibson, Dominique Allen, Zantori Dickerson, and Mariah Kuykendall won the gold medal in the final event of the UIL 6A state championship in Austin, the 1,600-meter relay. In the last eleven seasons, the team has won nine regional titles and two state championships. Last year, the Judson Rockets became the first women’s track and field team in the Greater San Antonio area to win a state title in the UIL’s 6A classification.

As well as their triumph in the final event, the team broke the area record for the 200 with senior Kiana Horton’s gold medal-winning performance. Kiana Horton, Talajah Murrell, Konstance James, and Kiara Pickens broke the city and school records for the 400-meter relay, winning the silver medal. They were joined at the championship by junior Maia Campbell, who competed in shot put.

Mr. Speaker, this is a momentous occasion for Judson High School and I am honored to have the opportunity to recognize the Judson Rockets for their record-setting victory.

PERSONAL EXPLANATION

HON. SEAN P. DUFFY OF WISCONSIN IN THE HOUSE OF REPRESENTATIVES Tuesday, June 2, 2015

Mr. DUFFY. Mr. Speaker, on Monday, June 1, 2015, I was unavoidably detained traveling from Wisconsin due to a weather related flight delay. Had I been present, I would have voted in the following ways:

1.) On roll call no. 264 (Dingell Amendment to H.R. 1335)—No
2.) On roll call no. 265 (Lowenthal Amendment to H.R. 1335)—No
3.) On roll call no. 266 (Democrat motion to recommit to H.R. 1335)—No
4.) On roll call no. 267 (Passage of H.R. 1335)—Aye
Tuesday, June 2, 2015

Daily Digest

HIGHLIGHTS

Senate passed H.R. 2048, USA FREEDOM Act.

Senate

Chamber Action

Routine Proceedings, pages S3419–S3635

Measures Introduced: Fourteen bills were introduced, as follows: S. 1473–1486. Pages S3455–56

Measures Reported:

Senate, to improve accountability and transparency in the United States financial regulatory system, protect access to credit for consumers, provide sensible relief to financial institutions. Page S3455

Measures Passed:

USA FREEDOM Act: By 67 yeas to 32 nays (Vote No. 201), Senate passed H.R. 2048, to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, after taking action on the following amendments proposed thereto: Pages S3421–44

Rejected:

By 42 yeas to 56 nays (Vote No. 198), McConnell Amendment No. 1451 (to Amendment No. 1450), relating to appointment of amicus curiae. Pages S3421, S3442

By 44 yeas to 54 nays (Vote No. 199), McConnell Amendment No. 1450 (to Amendment No. 1449), of a perfecting nature. Pages S3421, S3442

By 43 yeas to 56 nays (Vote No. 200), McConnell/Burr Amendment No. 1449, in the nature of a substitute. Pages S3421, S3442–43

During consideration of this measure today, Senate also took the following action:

By 83 yeas to 14 nays (Vote No. 197), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. Pages S3427–28

McConnell/Burr Amendment No. 1452 (to the language proposed to be stricken by Amendment No. 1449), of a perfecting nature. (Senate tabled the amendment.) Pages S3421, S3442

McConnell Amendment No. 1453 (to Amendment No. 1452), to change the enactment date, fell when McConnell/Burr Amendment No. 1452 (to the language proposed to be stricken by Amendment No. 1449) (listed above) was tabled. Pages S3421, S3442

National Defense Authorization Act—Agreement: A unanimous-consent agreement was reached providing that the motion to invoke cloture on the motion to proceed to consideration of H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, be withdrawn; that at 11 a.m., on Wednesday, June 3, 2015, Senate begin consideration of the bill, and it be in order for Senator McCain to offer Amendment No. 1463, the text of which is identical to the Senate Committee on Armed Services reported NDAA bill, S. 1376, to authorize appropriations for fiscal year 2016 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 that the time until 2:30 p.m. be for debate only, and equally divided between the bill managers or their designees. Page S3442

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during today’s session of the Senate, Senator Daines be authorized to sign duly enrolled bills or joint resolutions. Page S3631

Nomination Confirmed: Senate confirmed the following nomination:

Michael Keith Yudin, of the District of Columbia, to be Assistant Secretary for Special Education and Rehabilitative Services, Department of Education. Pages S3631, S3634
Nominations Received: Senate received the following nominations:

Marie Therese Dominguez, of Virginia, to be Administrator of the Pipeline and Hazardous Materials Safety Administration, Department of Transportation.

Sarah Elizabeth Feinberg, of West Virginia, to be Administrator of the Federal Railroad Administration.

Roberta S. Jacobson, of Maryland, to be Ambassador to the United Mexican States.

1 Air Force nomination in the rank of general.

3 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Army, Marine Corps, and Navy.

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

A routine list in the Foreign Service.

Messages from the House:

Measures Referred:

Executive Communications:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Authorities for Committees to Meet:

Record Votes: Five record votes were taken today. (Total—201)

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:35 p.m., until 9:30 a.m. on Wednesday, June 3, 2015. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S———.)

Committee Meetings

(Committees not listed did not meet)

PERSPECTIVES ON THE EXPORT-IMPORT BANK


LIFELINE PROGRAM

Committee on Commerce, Science, and Transportation: Subcommittee on Communications, Technology, Innovation, and the Internet concluded a hearing to examine Lifeline, focusing on improving accountability and effectiveness, after receiving testimony from Michael Clements, Acting Director, Physical Infrastructure Issues, Government Accountability Office; Ronald A. Briste, Florida Public Service Commission Commissioner, Tallahassee, on behalf of the National Association of Regulatory Utility Commissioners; Randolph J. May, The Free State Foundation, Potomac, Maryland; Scott Bergmann, CTIA—The Wireless Association, Washington, D.C.; and Jessica J. González, National Hispanic Media Coalition, Pasadena, California.

DROUGHT IN THE WESTERN UNITED STATES

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the status of drought conditions throughout the Western United States and actions states and others are taking to address them, after receiving testimony from Michael Connor, Deputy Secretary of the Interior; Betsy A. Cody, Specialist in Natural Resource Policy, Congressional Research Service, Library of Congress; Thomas Buschatzke, Arizona Department of Water Resources Director, Phoenix; Tom Loranger, Washington State Department of Ecology Program Manager, Olympia; Cannon Michael, The Family Farm Alliance, Los Banos, California; and James D. Ogubury, Western Governors’ Association, Denver, Colorado.

INTERNAL REVENUE SERVICE DATA THEFT

Committee on Finance: Committee concluded a hearing to examine Internal Revenue Service data theft affecting taxpayer information, after receiving testimony from John A. Koskinen, Commissioner, Internal Revenue Service, and J. Russell George, Inspector General for Tax Administration, both of the Department of the Treasury.

UNDERSTANDING IRAN’S NUCLEAR PROGRAM

Committee on Foreign Relations: Committee received a closed briefing on understanding Iran’s nuclear program from Ernest Moniz, Secretary, Bill Goldstein, Director, Lawrence Livermore National Laboratory, Charlie McMillan, Director, Los Alamos National
Laboratory, and Thom Mason, Director, Oak Ridge National Laboratory, all of the Department of Energy.

**IRS DATA BREACH**

*Committee on Homeland Security and Governmental Affairs*: Committee concluded a hearing to examine the IRS data breach, focusing on steps to protect Americans’ personal information, after receiving testimony from John A. Koskinen, Commissioner, and Terence V. Millholland, Chief Technology Officer, both of the Internal Revenue Service, Department of the Treasury; Kevin Fu, University of Michigan Department of Electrical Engineering and Computer Science, Ann Arbor; Jeffrey E. Greene, Symantec Corporation, Washington, D.C.; and Mike Kasper, Poughkeepsie, New York.

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**House of Representatives**

**Chamber Action**

**Public Bills and Resolutions Introduced**: 21 public bills, H.R. 2602–2622; and 3 resolutions, H. Res. 289–291 were introduced.  
**Pages H3756–58**

**Additional Cosponsors**:  
**Pages H3758–59**

**Report Filed**: A report was filed today as follows:  
H. Res. 288, providing for consideration of the bill (H.R. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes (H. Rept. 114–136).  
**Page H3756**

**Speaker**: Read a letter from the Speaker wherein he appointed Representative Hultgren to act as Speaker pro tempore for today.  
**Page H3645**

**Recess**: The House recessed at 10:40 a.m. and reconvened at 12 noon.  
**Page H3649**

**Journal**: The House agreed to the Speaker’s approval of the Journal by a yea-and-nay vote of 240 yeas to 170 nays with two answering “present”, Roll No. 269.  
**Page H3659**

**Pages H3652–3755**

Agreed to:  
Guinta amendment that increases funding, by offset, for Drug Courts by $5,000,000;  
**Pages H3675–76**

Reichert amendment that increases funding, by offset, for the Edward Byrne Memorial Justice Assistance Grant program by $1,000,000;  
**Pages H3675–77**

Nugent amendment that increases funding, by offset, for Justice Programs State and Local Law Enforcement Assistance by $4,000,000;  
**Pages H3679–81**

Poe (TX) amendment that increases funding, by offset, for victim services programs for victims of trafficking by $17,500,000;  
**Pages H3681–82**

Smith (TX) amendment that redirects $21,000,000 in funding within National Oceanic and Atmospheric Administration corporate services administrative support costs;  
**Pages H3687–88**

Clawson amendment that increases funding, by offset, for operations, research and facilities of the National Oceanic and Atmospheric Administration by $2,000,000;  
**Page H3689**

McKinley amendment that increases funding, by offset, for salaries and expenses of the International Trade Commission by $2,000,000;  
**Pages H3692–93**

Gosar amendment that reduces the general administration account of the Department of Justice by $2,209,500 and increases the general administration account of the Office of Inspector General by $1,709,000;  
**Pages H3694–95**

Brownley (CA) amendment, as modified, that increases funding, by offset, for a veterans treatment courts program by $2,500,000;  
**Pages H3695–96**

MacArthur amendment that increases funding, by offset, for enhanced training and services to end violence against and abuse of women in later life by $750,000;  
**Page H3696**

Michelle Lujan Grisham (NM) that increases funding, by offset, for the Office of Justice state and local law enforcement assistance program by $2,000,000 (by a recorded vote of 417 ayes to 10 noes, Roll No. 272);  
**Pages H3693–94, H3698–99**

Gosar amendment that reduces funding for the salaries, expenses, and general legal activities of the Department of Justice by $1,000,000 and applies the savings to the spending reduction account (by a recorded vote of 228 ayes to 198 noes, Roll No. 273);  
**Pages H3696–97, H3699–H3700**
Cohen amendment that increases funding, by offset, for a grant program for community-based sexual assault response reform by $4,000,000;  

Ted Lieu (CA) amendment that reduces funding for the Drug Enforcement Administration by $9,000,000, increases funding for the Office on Violence Against Women by $4,000,000; and increases funding for programs authorized by the Victims of Child Abuse Act of 1990 by $3,000,000;  

Castro (TX) amendment that increases funding, by offset, to improve community-police relations by $10,000,000;  

Gosar amendment that increases funding, by offset, for veterans treatment courts by $5,000,000;  

Gosar amendment that increases funding, by offset, for a program to monitor prescription drugs and scheduled limited chemical products by $5,000,000;  

Buck amendment that appropriates funds to investigate or act upon applications for relief from Federal firearms disabilities under section 925 (c) of title 18, United States Code;  

Moore amendment that increases funding, by offset, for mental health courts and adult and juvenile collaboration grants by $2,000,000;  

Connolly amendment that increases funding, by offset, for veterans treatment court programs by $1,000,000;  

Engel amendment that prohibits funds from being used by the Department of Commerce, the Department of Justice, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency’s fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011;  

Poe (TX) amendment that prohibits the use of funds made available for the Department of Justice or the FBI to mandate or request that a person alter the product or service of the person to permit the electronic surveillance of any user of such product or service except in the case of mandates or requests authorized under the Communications Assistance for Law Enforcement Act;  

Polis amendment that prohibits the use of funds to execute a subpoena of tangible things pursuant to the Controlled Substances Act that does not include the following sentence: “This subpoena limits the collection of any tangible things (including phone numbers dialed, telephone numbers of incoming calls, and the duration of calls) to those tangible things identified by a term that specifically identifies an individual, account, address, or personal device, and that limits, to the greatest extent reasonably practicable, the scope of the tangible things sought.”;  

Poe (TX) amendment that prohibits the use of funds to enforce section 221 of title 13, United States Code, with respect to the survey, conducted by the Secretary of Commerce, commonly referred to as the “American Community Survey”;  

Goodlatte amendment that prohibits the use of funds to pay the salaries and expenses of personnel of the Department of Justice to negotiate or conclude a settlement with the Federal Government that includes terms requiring the defendant to donate or contribute funds to an organization or individual;  

Carter (TX) amendment that prohibits the use of funds to propose or to issue a rule that would change the Chief Law Enforcement Officer certificate requirement in a manner that has the same substance as the proposed rule published on Sept. 9, 2013;  

Ellison amendment that prohibits the use of funds by the Department of Justice in violation of the Fifth and Fourteenth Amendments to the United States Constitution; or to repeal the guidance provided in the memorandum issued by the Attorney General on March 31, 2015;  

Black amendment that prohibits the use of funds to require, pursuant to section 478.124 to title 27, or section 25.7 of title 28, Code of Federal Regulations, or the Office of Management and Budget Statistical Policy Directive No. 15, Race and Ethnic Standards for Federal Statistics and Administrative Reporting;  

Meadows amendment that prohibits the use of funds to negotiate or enter into a trade agreement that establishes a limit on greenhouse gas emissions for the United States;  

Grayson amendment that prohibits the use of funds to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by Federal Acquisition Regulation;  

Hudson amendment that prohibits the use of funds to treat any M855 or SS. 109 type ammunition as armor piercing ammunition for purposes of chapter 44 of title 18, United States Code;  

Perry amendment that prohibits the use of funds to implement the United States Global Climate Research Program’s National Climate Assessment, the Intergovernmental Report, the United Nation’s Agenda 21 sustainable development plan, or the May 2013 Technical Update of the Social Cost of Carbon for Regulatory Impact Analysis under Executive Order 12866;
Marino amendment that prohibits the use of funds for the Department of Justice’s clemency initiative announced on April 23, 2014, or for Clemency Project 2014, or to transfer or temporarily assign employees to the Office of the Pardon Attorney for the purpose of screening clemency applications; and 

Austin Scott (GA) amendment that prohibits the use of funds by the NOAA to enforce:
1) Amendment 40 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico published in the Federal Register on April 22, 2015 or 2) Red Snapper in federal waters of the Gulf of Mexico lasting longer than 5 times the number of days recreational fishers are allowed to catch and retain at least two such fish each day in such federal waters.

Rejected:
McClintock amendment that sought to reduce funding for the International Trade Administration by $311,788,000 and apply the savings to the spending reduction account (by a recorded vote of 154 ayes to 263 noes, Roll No. 270);

Esey amendment that sought to increase funding for the Hollings Manufacturing Extension Partnership of the National Institute of Standards of Technology by $11,000,000 and reduce funding for buildings and facilities of the National Prison System by $31,000,000 (by a recorded vote of 213 ayes to 214 noes, Roll No. 271);

Cohen amendment that sought to increase funding, by offset, for the Legal Services Corporation by $10,000,000 (agreed by unanimous consent to withdraw the earlier request for a recorded vote to the end that the amendment stand adopted in accordance with the previous voice vote thereon);

Byrne amendment that sought to reduce funding for the Bureau of Alcohol, Tobacco, and Firearms salaries and expenses by $250,000,000;

Nadler amendment that sought to strike section 528 of the bill, which prohibits use of funds to construct, acquire, or modify any facility in the U.S., its territories, or possessions to house any individual who as of June 24, 2009, is located at U.S. Naval Air Station, Guantanamo Bay, Cuba; and

Blumenauer amendment that sought to prohibit the use of funds for any inspection under the Controlled Substances Act with respect to narcotic drugs or combinations of such drugs, being dispensed for maintenance or detoxification treatment.

Withdrawn:
Goodlatte amendment that was offered and subsequently withdrawn that would have increased funding, by offset, for Federal Prisoner Detention by $293,000,000;

Poliquin amendment that was offered and subsequently withdrawn that would have increased funding, by offset, for the International Trade Administration by $44,000,000;

Eddie Bernice Johnson (TX) amendment that was offered and subsequently withdrawn that would have redirected $3,000,000 in funding within the NIST Scientific and Technical Research and Services;

Austin Scott (GA) amendment that was offered and subsequently withdrawn that would have reduced funding for the National Oceanic and Atmospheric Administration’s relocation of facilities account by $3,200,000 and applied the savings to the spending reduction account;

Blumenauer amendment that was offered and subsequently withdrawn that would have redirected $60,760,000 in funding within the National Oceanic and Atmospheric Administration’s operations, research, and facilities;

Guinta amendment that was offered and subsequently withdrawn that would have redirected $70,000,000 in funding within the National Oceanic and Atmospheric Administration’s operations, research, and facilities;

Polis amendment that was offered and subsequently withdrawn that would have redirected $30,000,000 in funding within the National Oceanic and Atmospheric Administration’s operations, research, and facilities;

Keating amendment that was offered and subsequently withdrawn that would have redirected $1,750,000 in funding within the National Oceanic and Atmospheric Administration’s operations, research, and facilities;

Bonamici amendment (No. 4 printed in the Congressional Record of June 1, 2015) that was offered and subsequently withdrawn that would have redirected $21,559,000 in funding within the National Oceanic and Atmospheric Administration’s operations, research, and facilities;

Bridenstine amendment that was offered and subsequently withdrawn that would have redirected $9,000,000 in funding within the National Oceanic and Atmospheric Administration’s procurement, acquisition and construction;

Bonamici amendment (No. 5 printed in the Congressional Record of June 1, 2015) that was offered and subsequently withdrawn that would have increased funding for Procurement, Acquisition, and
Construction for the National Oceanic and Atmospheric Administration by $380,000,000; Pages H3691–92

Esty amendment that was offered and subsequently withdrawn that would have struck section 532 from the bill, which prohibits use of funds to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if all other requirements of law with respect to the proposed importation are met and no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes; and strikes section 537 from the bill, which prohibits the use of funds to require a person licensed under section 923 of title 18, United States Code, to report information to the Department of Justice regarding the sale of multiple rifles or shotguns to the same person; Pages H3721–22

Schweikert amendment that was offered and subsequently withdrawn that would have prohibited the use of funds to be used to transfer cell site simulators, or IMSI Catcher, or similar cell phone tower mimicking technology to state and local law enforcement that haven’t adopted procedures for the use of such technology that protects the constitutional rights of citizens; Page H3724

Scott (VA) amendment that was offered and subsequently withdrawn that would have revised amounts in the bill by reducing the amount made available for the Federal Prison Systems salaries and expenses, and increasing the amount made available for Office of Justice Programs, Office of Juvenile Justice Delinquency and Prevention by $69,515,000; Page H3729

Lee amendment that was offered and subsequently withdrawn that would have provided for States to require all individuals enrolled in an academy of a law enforcement agency of the State and all law enforcement officers of the State fulfill a training session on sensitivity each fiscal year, including training on ethnic and racial bias, cultural diversity, and police interaction with the disabled, mentally ill, and new immigrants; Pages H3729–30

Poe (TX) amendment that was offered and subsequently withdrawn that would have prohibited the use of funds for DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities for which funds are made available under this Act as part of the $125 million for DNA-related forensic programs and activities; and Page H3737

Richmond amendment that was offered and subsequently withdrawn that would have reduced the aggregate amount made available for Federal Prison System salaries and expenses, and by increasing the amount made available for the Office of Justice Programs, Juvenile Justice Programs for youth mentoring grants, by $155,900,000. Pages H3740–41

Point of Order sustained against:

Collins (GA) amendment that sought to prohibit the use of funds to provide assistance to a State, or political subdivision of a State, that has in effect any law, policy, or procedure in contravention of immigration laws.

Proceedings Postponed:

Pittenger amendment that seeks to increase funding, by offset, for salaries and expenses of the FBI by $25,000,000; Pages H3701–02

Nadler amendment that seeks to strike section 527 of the bill, which prohibits use of funds to transfer, release, or assist in the transfer or release to or within the U.S., its territories, or possessions Khalid Sheikh Mohammed or any other detainee who is not a U.S. citizen or a member of the Armed Forces of the U.S. and is or was held on or after June 24, 2009, at the U.S. Naval Station, Guantanamo Bay, Cuba, by the Department of Defense; Pages H3716–21

Farr amendment that seeks to strike section 540 from the bill, which prohibits use of funds to facilitate, permit, license, or promote exports to the Cuban military or intelligence service or to any officer of the Cuban military or intelligence service, or an immediate family member thereof; Pages H3722–24

Blackburn amendment (No. 1 printed in the Congressional Record of June 1, 2015) that seeks to reduce amounts made available by 1 percent, except those amounts made available to the Federal Bureau of Investigation and certain accounts of the Department of Justice; Pages H3727–29

Foster amendment that seeks to prohibit the use of funds to fund any Experimental Program to Stimulate Competitive Research (EPSCoR) program; Pages H3732–33

Bonamici amendment (No. 9 printed in the Congressional Record of June 1, 2015) that seeks to prohibit funds from being used by the Department of Justice to prevent a State from implementing its own State laws that authorize the use, distribution, possession, or cultivation of industrial hemp, as defined in section 7606 of the Agricultural Act of 2014; Pages H3736–37

Ellison amendment that seeks to prohibit the use of funds to enter into a contract with any person whose disclosures of a proceeding with a disposition listed in section 2315(c)(1) of title 41, United States Code, in the Federal Awardee Performance and Integrity Information System include the term “Fair Labor Standards Act”; Pages H3738–39
Grayson amendment that seeks to prohibit the use of funds to negotiate or enter into a trade agreement whose negotiating texts are confidential; Pages H3744–45

Rohrabacher amendment that seeks to prohibit the use of funds by various states to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of medical marijuana; Pages H3745–47

Grayson amendment that seeks to prohibit the use of funds to compel a person to testify about information or sources that the person states in a motion to quash the subpoena that he has obtained as a journalist or reporter and that he regards as confidential; Page H3747

McCclintock amendment that seeks to prohibit the use of funds by various states to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of marijuana on non-Federal lands within their respective jurisdictions; Pages H3748–50

Perry amendment that seeks to prohibit the use of funds to take any action to prevent a State from implementing any law that makes it lawful to possess, distribute, or use cannabidiol oil; and Pages H3750–52

Garrett amendment that seeks to prohibit the use of funds to enforce the Fair Housing Act in a manner that relies upon an allegation of liability under section 100.500 of title 24, Code of Federal Regulations.

H. Res. 287, the rule providing for consideration of the bills (H.R. 2577) and (H.R. 2578) was agreed to by a yea-and-nay vote of 242 yeas to 180 nays, Roll No. 268, after the previous question was ordered.

Pages H3658–59

Senate Message: Message received from the Senate today appears on page H3694.

Quorum Calls—Votes: Two yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages H3658–59, H3659, H3697–98, H3698–99 and H3699–H3700. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 2:05 a.m. on Wednesday, June 3, 2015.

Committee Meetings

UPDATE ON THE FINANCIAL HEALTH OF FARM COUNTRY

Committee on Agriculture: Subcommittee on General Farm Commodities and Risk Management held a hearing entitled “Update on the Financial Health of Farm Country”. Testimony was heard from Nathan Kauffman, Assistant Vice President and Omaha Branch Executive, Omaha Branch, Federal Reserve Bank of Kansas City; and public witnesses.

MISCELLANEOUS MEASURE

Committee on Appropriations: Full Committee held a markup on the Defense Appropriations Bill for FY 2016. The Defense Appropriations Bill for FY 2016 was ordered reported, as amended.

QUADRENNIAL ENERGY REVIEW AND RELATED DISCUSSION DRAFTS

Committee on Energy and Commerce: Subcommittee on Energy and Power held a hearing entitled “Quadrennial Energy Review and Related Discussion Drafts”. Testimony was heard from Ernest Moniz, Secretary, Department of Energy; Scott Martin, Commissioner, Lancaster County, Pennsylvania; and public witnesses.

MEDICAID PROGRAM INTEGRITY: SCREENING OUT ERRORS, FRAUD, AND ABUSE

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled “Medicaid Program Integrity: Screening Out Errors, Fraud, and Abuse”. Testimony was heard from Seto J. Bagdoyan, Director, Audit Services, Forensic Audits and Investigative Service, Government Accountability Office; and Shantanu Agrawal, M.D., Deputy Administrator and Director, Center for Program Integrity, Centers for Medicare and Medicaid Services, Department of Health and Human Services.

AN UPDATE ON THE TAKATA AIRBAG RUPTURES AND RECALLS

Committee on Energy and Commerce: Subcommittee on Commerce, Manufacturing and Trade held a hearing entitled “An Update on the Takata Airbag Ruptures and Recalls”. Testimony was heard from Mark R. Rosekind, Administrator, National Highway Traffic Safety Administration; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee began a markup on H.R. 2576, the “TSCA Modernization Act of 2015”; and H.R. 2583, the “Federal Communications Commission Process Reform Act of 2015”.

THE NATIONAL FLOOD INSURANCE PROGRAM: OVERSIGHT OF SUPERSTORM SANDY CLAIMS

Committee on Financial Services: Subcommittee on Housing and Insurance held a hearing entitled “The National Flood Insurance Program: Oversight of Superstorm Sandy Claims”. Testimony was heard from Brad Kieserman, Deputy Associate Administrator, Insurance, Federal Insurance and Mitigation

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Committee on Energy and Commerce: Full Committee began a markup on H.R. 2576, the “TSCA Modernization Act of 2015”; and H.R. 2583, the “Federal Communications Commission Process Reform Act of 2015”.

THE NATIONAL FLOOD INSURANCE PROGRAM: OVERSIGHT OF SUPERSTORM SANDY CLAIMS

Committee on Financial Services: Subcommittee on Housing and Insurance held a hearing entitled “The National Flood Insurance Program: Oversight of Superstorm Sandy Claims”. Testimony was heard from Brad Kieserman, Deputy Associate Administrator, Insurance, Federal Insurance and Mitigation
Administration, Federal Emergency Management Agency.

AMERICANS DETAINED IN IRAN; MISCELLANEOUS MEASURE

Committee on Foreign Affairs: Full Committee held a hearing entitled “Americans Detained in Iran”; and a markup on H. Res. 233, expressing the sense of the House of Representatives that Iran should immediately release the three United States citizens it holds, as well as provide all known information on any United States citizens that have disappeared within its borders. Testimony was heard from public witnesses. H. Res. 233 was ordered reported, without amendment.

STATE DEPARTMENT’S COUNTERTERRORISM BUREAU

Committee on Foreign Affairs: Subcommittee on Terrorism, Nonproliferation, and Trade held a hearing entitled “State Department’s Counterterrorism Bureau”. Testimony was heard from Charles Johnson, Jr., Director, International Security Issues, International Affairs and Trade, Government Accountability Office; and Justin Siberell, Deputy Coordinator for Regional Affairs and Programs, Bureau of Counterterrorism, Department of State.

THE OUTER RING OF BORDER SECURITY: DHS’S INTERNATIONAL SECURITY PROGRAMS


LEGISLATIVE MEASURES

Committee on the Judiciary: Subcommittee on Regulatory Reform, Commercial and Antitrust Law held a hearing on H.R. 2315, the “Mobile Workforce State Income Tax Simplification Act of 2015”; H.R. 1643, the “Digital Goods and Services Tax Fairness Act of 2015”; and the “Business Activity Tax Simplification Act of 2015”. Testimony was heard from public witnesses.

BUSINESS MEETING; FIRST AMENDMENT PROTECTIONS ON PUBLIC COLLEGE AND UNIVERSITY CAMPUSES

Committee on the Judiciary: Subcommittee on the Constitution and Civil Justice held a business meeting to adopt rules of procedure for Private Claims Bills; and a hearing entitled “First Amendment Protections on Public College and University Campuses”. The rules of procedure for Private Claims Bills were adopted. Testimony was heard from public witnesses.

ENSURING TRANSPARENCY THROUGH THE FREEDOM OF INFORMATION ACT

Committee on Oversight and Government Reform: Full Committee held a hearing entitled “Ensuring Transparency through the Freedom of Information Act (FOIA)”. Testimony was heard from public witnesses.

COMMODITY END-USER RELIEF ACT

Committee on Rules: Full Committee held a hearing on H.R. 2289, the “Commodity End-User Relief Act”. The committee granted, by record vote of 8–2, a structured rule. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Agriculture. The rule waives all points of order against consideration of the bill. The rule makes in order as original text for purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–18 and provides that it shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute. The rule makes in order only those further amendments printed in the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the report. The rule provides one motion to recommit with or without instructions. In section 2, the rule provides that the Committee on Appropriations may, at any time before 5 p.m. on Friday, June 5, 2015, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2016. Testimony was heard from Chairman Conaway and Representative Peterson.
OVERSIGHT OF THE AMTRAK ACCIDENT IN PHILADELPHIA

Committee on Transportation and Infrastructure: Full Committee held a hearing entitled “Oversight of the Amtrak Accident in Philadelphia”. Testimony was heard from Christopher Hart, Chairman, National Transportation Safety Board; Sarah Feinberg, Acting Administrator, Federal Railroad Administration; and public witnesses.

LEGISLATIVE MEASURES

Committee on Veterans’ Affairs: Subcommittee on Economic Opportunity held a hearing on H.R. 356, the “Wounded Warrior Employment Improvement Act”; H.R. 832, the “Veterans Employment and Training Service Longitudinal Study Act of 2015”; H.R. 1994, the “VA Accountability Act of 2015”; H.R. 2133, the “Servicemembers’ Choice in Transition Act”; H.R. 2275, the “Jobs for Veterans Act of 2015”; H.R. 2344, to amend title 38, United States Code, to make certain improvements in the vocational rehabilitation programs of the Department of Veterans Affairs; H.R. 2560, to amend title 38, United States Code, to improve the approval of certain programs of education for purposes of educational assistance provided by the Department of Veterans Affairs; H.R. 2561, to amend title 38, United States Code, to extend the authority to provide work-study allowance for certain activities by individuals receiving educational assistance by the Secretary of Veterans Affairs; and a draft bill to amend title 38, United States Code, to make certain modifications and improvements in the transfer of unused educational assistance benefits under the Post 9/11 Educational Assistance Program of the Department of Veterans Affairs, and for other purposes. Testimony was heard from Representatives Flores; Cook; and Sean Patrick Maloney of New York; Curtis L. Coy, Deputy Under Secretary for Economic Opportunity, Veterans Benefits Administration, Department of Veterans Affairs; Teresa W. Gerton, Acting Assistant Secretary, Veterans’ Employment and Training Service, Department of Labor; Susan S. Kelly, Director, Transition to Veterans Program Office, Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense; and public witnesses.

MISCELLANEOUS MEASURES


Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D613)


H.R. 2353, to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund. Signed on May 29, 2015. (Public Law 114–21)

S. 178, to provide justice for the victims of trafficking. Signed on May 29, 2015. (Public Law 114–22)

COMMITTEE MEETINGS FOR WEDNESDAY, JUNE 3, 2015

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Environment and Public Works: to hold hearings to examine challenges and implications of EPA’s proposed national ambient air quality standard for ground-level ozone, including S. 638, to amend the Clean Air Act with respect to exceptional event demonstrations, S. 751, to improve the establishment of any lower ground-level ozone standards, and S. 640, to amend the Clean Air Act to delay the review and revision of the national ambient air quality standards for ozone, 9:30 a.m., SD–406.

Committee on Finance: business meeting to consider an original bill entitled, “Audit & Appeal Fairness, Integrity, and Reforms in Medicare Act of 2015”, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine implications of the Iran nuclear agreement for United States policy in the Middle East, 9:30 a.m., SD–419.
Committee on Health, Education, Labor, and Pensions: to hold hearings to examine reauthorizing the Higher Education Act, focusing on ensuring college affordability, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine top government investigator positions left unfilled for years, 10 a.m., SD–342.

Committee on Small Business and Entrepreneurship: business meeting to consider S. 1292, to amend the Small Business Act to treat certain qualified disaster areas as HUBZones and to extend the period for HUBZone treatment for certain base closure areas, an original bill entitled, “Recovery Improvements for Small Entities (RISE) After Disaster Act of 2015”, an original resolution expressing the sense of the Committee on Small Business and Entrepreneurship of the Senate that the rule relating to the definition of the term “waters of the United States” under the Clean Water Act will have a significant economic impact on a substantial number of small entities, the nomination of Douglas J. Kramer, of Kansas, to be Deputy Administrator of the Small Business Administration, and other pending calendar business, 10 a.m., 10107 Longworth.

Committee on Veterans’ Affairs: to hold hearings to examine S. 207, to require the Secretary of Veterans Affairs to use existing authorities to furnish health care at non-Department of Veterans Affairs facilities to veterans who live more than 40 miles driving distance from the closest medical facility of the Department that furnishes the care sought by the veteran, S. 297, to revive and expand the Intermediate Care Technician Pilot Program of the Department of Veterans Affairs, S. 425, to amend title 38, United States Code, to provide for a five-year extension to the homeless veterans reintegration programs and to provide clarification regarding eligibility for services under such programs, S. 471, to improve the provision of health care for women veterans by the Department of Veterans Affairs, S. 684, to amend title 38, United States Code, to improve the provision of services for homeless veterans, and other pending calendar business, 2:30 p.m., SR–418.

House

Committee on Agriculture, Full Committee, hearing entitled “Review of Agricultural Subsidies in Foreign Countries”, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on State, Foreign Operations, and Related Programs, markup on State, Foreign Operations, and Related Programs Appropriations Bill, FY 2016, 10:30 a.m., H–140 Capitol.

Committee on the Budget, Full Committee, hearing entitled “The Congressional Budget Office: Oversight Hearing”, 10 a.m., 210 Cannon.

Committee on Education and the Workforce, Full Committee, hearing entitled “Compulsory Unionization through Grievance Fees: The NLRB’s Assault on Right-to-Work”, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Full Committee, markup on H.R. 2576, the “TSCA Modernization Act of 2015”; and H.R. 2583, the “Federal Communications Commission Process Reform Act of 2015” (continued), 10 a.m., 2123 Rayburn.


Committee on Financial Services, Full Committee, hearing entitled “Examining the Export-Import Bank’s Reauthorization Request and the Government’s Role in Export Financing”, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on the Middle East and North Africa, hearing entitled “U.S. Policy Towards ISIL After Terror Group Seizes Ramadi and Palmyra”, 12 p.m., 2172 Rayburn.


Committee on Homeland Security, Full Committee, hearing entitled “Terrorism Gone Viral: The Attack in Garland, Texas and Beyond”, 10 a.m., 311 Cannon.

Committee on House Administration, Full Committee, hearing entitled “House Officer Priorities for 2016 and Beyond”, 1 p.m., 1310 Longworth.

Committee on Natural Resources, Subcommittee on Federal Lands, hearing on a discussion draft entitled the “Returning Resilience to our Overgrown, Fire-prone National Forests Act of 2015”, 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Full Committee, hearing entitled “Ensuring Agency Compliance with the Freedom of Information Act (FOIA)”, 9 a.m., 2154 Rayburn.

Committee on Small Business, Full Committee, hearing entitled “The Road Ahead: Small Businesses and the Need for a Long-Term Surface Transportation Reauthorization”, 11 a.m., 2360 Rayburn.

Committee on Veterans’ Affairs, Subcommittee on Health, hearing entitled “Assessing VA’s Ability to Promptly Pay Non-VA Providers”, 10 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Human Resources, hearing entitled “Protecting the Safety Net from Waste, Fraud, and Abuse”, 10 a.m., 1100 Longworth.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the employment effects of the Affordable Care Act, 2:30 p.m., SD–562.
Next Meeting of the SENATE
9:30 a.m., Wednesday, June 3

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Wednesday, June 3

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 11 a.m.), Senate will begin consideration of H.R. 1735, National Defense Authorization Act.

House Chamber


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June 2, 2015

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