

SA 4136. Mr. HOEVEN (for himself, Mr. TESTER, Mr. DAINES, and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4137. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4138. Mr. PETERS (for himself, Mr. DAINES, Mr. TILLIS, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4139. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4140. Mr. DAINES (for himself, Mrs. ERNST, Mr. CRUZ, Mr. MORAN, Mr. KIRK, Mr. INHOFE, Mr. GARDNER, Mr. ROBERTS, and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4141. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

### TEXT OF AMENDMENTS

**SA 4082.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

#### SEC. 1097. ENHANCED PENALTIES.

Section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) is amended—

(1) in subparagraph (A)(vi)—  
(A) by striking “400 grams” and inserting “20 grams”; and

(B) by striking “100 grams” and inserting “5 grams”; and

(2) in subparagraph (B)(vi)—

(A) by striking “40 grams” and inserting “2 grams”; and

(B) by striking “10 grams” and inserting “0.5 grams”.

#### SEC. 1098. GAO REPORT ON FENTANYL SUPPLY CHAINS.

Not later than 270 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on fentanyl supply chains, focusing on Federal efforts to—

(1) identify and track precursor chemicals of fentanyl; and

(2) assess where and how illicit fentanyl is produced, trafficked, and consumed.

**SA 4083.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

#### SEC. 1097. ENHANCED PENALTIES.

Section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) is amended—

(1) in subparagraph (A)(vi)—

(A) by striking “400 grams” and inserting “20 grams”; and

(B) by striking “100 grams” and inserting “5 grams”; and

(2) in subparagraph (B)(vi)—

(A) by striking “40 grams” and inserting “2 grams”; and

(B) by striking “10 grams” and inserting “0.5 grams”.

**SA 4084.** Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

#### SEC. 1097. GAO REPORT ON FENTANYL SUPPLY CHAINS.

Not later than 270 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on fentanyl supply chains, focusing on Federal efforts to—

(1) identify and track precursor chemicals of fentanyl; and

(2) assess where and how illicit fentanyl is produced, trafficked, and consumed.

**SA 4085.** Mr. LANKFORD (for himself, Mr. KIRK, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

#### SEC. 1031. REDUCTION IN ASSISTANCE FOR FOREIGN COUNTRIES LOSING CONTROL OF TRANSFEREES FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, DURING FISCAL YEAR 2017.

(a) REDUCTION IN ASSISTANCE.—Notwithstanding any other provision of this Act, the amount of assistance provided during fiscal year 2017 to a foreign country to which an individual detained at Guantanamo is transferred or released during the period beginning on October 1, 2016, and ending on September 30, 2017, shall be—

(1) the aggregate amount otherwise available for United States assistance for such country during fiscal year 2017; minus

(2) \$10,000,000 or an amount equal to 10 percent of the amount described in paragraph (1), whichever is less, for each individual so transferred or released who, during such period—

(A) escapes from confinement by the country or otherwise ceases to be under the custody or control of the country; or

(B) reengages in international terrorism.

(b) DEFINITIONS.—In this section:

(1) 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.

(2) The term “international terrorism”—

(A) has the meaning given the term in section 2331 of title 18, United States Code; and

(B) does not include any act of war (as defined in that section).

**SA 4086.** Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXVIII, add the following:

#### SEC. 2826. LEASE, JOINT BASE ELMENDORF-RICHARDSON, ALASKA.

(a) LEASES AUTHORIZED.—

(1) LEASE TO MUNICIPALITY OF ANCHORAGE.—The Secretary of the Air Force may lease to the Municipality of Anchorage, Alaska, certain real property, to include improvements thereon, at Joint Base Elmendorf-Richardson (“JBER”), Alaska, as more particularly described in subsection (b) for the purpose of permitting the Municipality to use the leased property for recreational purposes.

(2) LEASE TO MOUNTAIN VIEW LIONS CLUB.—The Secretary of the Air Force may lease to the Mountain View Lions Club certain real property, to include improvements thereon, at JBER, as more particularly described in subsection (b) for the purpose of the installation, operation, maintenance, protection, repair and removal of recreational equipment.

(b) DESCRIPTION OF PROPERTY.—

(1) The real property to be leased under subsection (a)(1) consists of the real property described in Department of the Air Force Lease No. DACA85-1-99-14.

(2) The real property to be leased under subsection (a)(2) consists of real property described in Department of the Air Force Lease No. DACA85-1-97-36.

(c) TERM AND CONDITIONS OF LEASES.—

(1) TERM OF LEASES.—The term of the leases authorized under subsection (a) shall not exceed 25 years.

(2) OTHER TERMS AND CONDITIONS.—Except as otherwise provided in this section—

(A) the remaining terms and conditions of the lease under subsection (a)(1) shall consist of the same terms and conditions described in Department of the Air Force Lease No. DACA85-1-99-14; and

(B) the remaining terms and conditions of the lease under subsection (a)(2) shall consist of the same terms and conditions described in Department of the Air Force Lease No. DACA85-1-97-36.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the leases under this section as the Secretary considers appropriate to protect the interests of the United States.

**SA 4087.** Ms. KLOBUCHAR (for herself, Mr. TILLIS, Mrs. GILLIBRAND, and Mr. ROUNDS) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense

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

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

**SEC. 1097. ESTABLISHMENT OF CENTER OF EXCELLENCE IN PREVENTION, DIAGNOSIS, MITIGATION, TREATMENT, AND REHABILITATION OF HEALTH CONDITIONS RELATING TO EXPOSURE TO BURN PITS AND OTHER ENVIRONMENTAL EXPOSURES.**

(a) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

**“§ 7330B. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures**

“(a) ESTABLISHMENT.—(1) The Secretary shall establish within the Department a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures to carry out the responsibilities specified in subsection (d).

“(2) The Secretary shall establish the center of excellence under paragraph (1) through the use of—

“(A) the directives and policies of the Department in effect as of the date of the enactment of this section;

“(B) the recommendations of the Comptroller General of the United States and Inspector General of the Department in effect as of such date; and

“(C) guidance issued by the Secretary of Defense under section 313 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 10 U.S.C. 1074 note).

“(b) SELECTION OF SITE.—In selecting the site for the center of excellence established under subsection (a), the Secretary shall consider entities that—

“(1) are equipped with the specialized equipment needed to study, diagnose, and treat health conditions relating to exposure to burn pits and other environmental exposures;

“(2) have a track record of publishing information relating to post-deployment health exposures among veterans who served in the Armed Forces in support of Operation Iraqi Freedom and Operation Enduring Freedom;

“(3) have developed animal models and in vitro models of dust immunology and lung injury consistent with the injuries of members of the Armed Forces who served in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

“(4) have expertise in allergy and immunology, pulmonary diseases, and industrial and management engineering.

“(c) COLLABORATION.—The Secretary shall ensure that the center of excellence collaborates, to the maximum extent practicable, with the Secretary of Defense, institutions of higher education, and other appropriate public and private entities (including international entities) to carry out the responsibilities specified in subsection (d).

“(d) RESPONSIBILITIES.—The center of excellence shall have the following responsibilities:

“(1) To provide for the development, testing, and dissemination within the Department of best practices for the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

“(2) To provide guidance for the health systems of the Department and the Department

of Defense in determining the personnel required to provide quality health care for members of the Armed Forces and veterans with health conditions relating to exposure to burn pits and other environmental exposures.

“(3) To establish, implement, and oversee a comprehensive program to train health professionals of the Department and the Department of Defense in the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

“(4) To facilitate advancements in the study of the short-term and long-term effects of exposure to burn pits and other environmental exposures.

“(5) To disseminate within medical facilities of the Department best practices for training health professionals with respect to health conditions relating to exposure to burn pits and other environmental exposures.

“(6) To conduct basic science and translational research on health conditions relating to exposure to burn pits and other environmental exposures for the purposes of understanding the etiology of such conditions and developing preventive interventions and new treatments.

“(7) To provide medical treatment to all veterans identified as part of the open burn pit registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

“(e) USE OF BURN PITS REGISTRY DATA.—In carrying out its responsibilities under subsection (d), the center shall have access to and make use of the data accumulated by the burn pits registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

“(f) DEFINITIONS.—In this section:

“(1) The term ‘burn pit’ means an area of land located in Afghanistan or Iraq that—

“(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

“(B) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

“(2) The term ‘other environmental exposures’ means exposure to environmental hazards, including burn pits, dust or sand, hazardous materials, and waste at any site in Afghanistan or Iraq that emits smoke containing pollutants present in the environment or smoke from fires or explosions.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$30,000,000 for each of the first five fiscal years beginning after the date of the enactment of this section.”

(b) USE OF FUNDS.—In carrying out section 7330B of title 38, United States Code, as added by subsection (a), the Secretary of Veterans Affairs may use amounts appropriated or otherwise made available to the Department of Veterans Affairs for any other purpose.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7330A the following new item:

“7330B. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures.”

**SA 4088.** Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize ap-

propriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

**SEC. 526. PILOT PROGRAM ON DIRECT EMPLOYMENT FOR MEMBERS OF THE NATIONAL GUARD AND RESERVES.**

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may conduct a pilot program to assess the feasibility and advisability for providing job placement assistance and related employment services directly to members of the National Guard and the Reserves as a means of enhancing the efforts of the Department of Defense to assist such members in obtaining employment.

(b) ADMINISTRATION.—

(1) DISCHARGE THROUGH ADJUTANTS GENERAL.—The pilot program shall be conducted through the adjutants general of the States under section 314 of title 32, United States Code.

(2) OUTREACH.—In conducting the pilot program, the adjutants general shall take appropriate actions to facilitate participation in the pilot program by members of the National Guard and the Reserves, including through outreach to unit commanders.

(c) COST-SHARING REQUIREMENT.—As a condition on the provision of funds under this section to a State to support the conduct of the pilot program in the State, the State shall contribute an amount, derived from non-Federal sources, equal to at least 30 percent of the funds provided by the Secretary to conduct the pilot program in the State.

(d) ASSISTANCE AND SERVICES.—In conducting the pilot program, the Secretary shall—

(1) identify unemployed and underemployed members of the National Guard and the Reserves; and

(2) provide job placement assistance and related employment services to members so identified who participate in the pilot program on an individualized basis, including assistance and services in connection with resume writing, interview preparation, job placement, post-employment follow-up, and such other employment-related matters as the Secretary considers appropriate for purposes of the pilot program.

(e) EVALUATION.—The Secretary shall develop outcome measurements to evaluate the success of the pilot program.

(f) REPORTING REQUIREMENTS.—

(1) REPORT REQUIRED.—Not later than January 31, 2022, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing the results of the pilot program. The Secretary shall prepare the report in coordination with the Chief of the National Guard Bureau.

(2) ELEMENTS OF REPORT.—The report under paragraph (1) shall include the following:

(A) A description and assessment of the effectiveness and achievements of the pilot program, including the number of members of the National Guard and the Reserves assisted under the pilot program who obtained employment and the cost-per-placement of such members.

(B) An assessment of the impact of the pilot program, and any increase in employment levels among members of the National Guard and the Reserves as a result of the pilot program, on the readiness of members of the reserve components of the Armed Forces.

(C) Such recommendations for improvement or extension of the pilot program as the Secretary considers appropriate.

(D) Any other matters the Secretary considers appropriate.

(g) DURATION OF AUTHORITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), the authority to conduct the pilot program expires September 30, 2020.

(2) EXTENSION.—Upon the expiration of the authority under paragraph (1), the Secretary may extend the pilot program for not more than two additional fiscal years.

**SA 4089.** Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

**SEC. 1266. ENHANCEMENT OF EFFORTS FOR THE RECRUITMENT AND ADVANCEMENT OF WOMEN IN THE SECURITY SECTOR AS PART OF DEFENSE INSTITUTION BUILDING PROGRAMS AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE.**

In carrying out programs and activities for defense institution building of foreign countries under the security cooperation programs and activities of the Department of Defense, the Secretary of Defense shall, in coordination with the Secretary of State, include policies to strengthen and facilitate the efforts of countries participating in such defense institution building programs and activities to recruit, retain, professionalize, and advance women in their security sectors.

**SA 4090.** Mr. BURR (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 578, insert the following:

**SEC. 578A. CRIMINAL BACKGROUND CHECKS OF EMPLOYEES OF THE MILITARY CHILD CARE SYSTEM AND PROVIDERS OF CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES FOR MILITARY DEPENDENTS.**

(a) EMPLOYEES OF MILITARY CHILD CARE SYSTEM.—Section 1792 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

“(d) CRIMINAL BACKGROUND CHECK.—The criminal background check of child care employees under this section that is required pursuant to section 231 of the Crime Control Act of 1990 (42 U.S.C. 13041) shall be conducted pursuant to regulations prescribed by the Secretary of Defense in accordance with the provisions of section 658H of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f).”

(b) PROVIDERS OF CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES.—Section 1798 of such title is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

“(c) CRIMINAL BACKGROUND CHECK.—A provider of child care services or youth program services may not provide such services under this section unless such provider complies with the requirements for criminal background checks under section 658H of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f) for the State in which such services are provided.”

**SA 4091.** Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XXVIII, add the following:

**SEC. 2804. REVITALIZATION OF JUNGLE OPERATIONS TRAINING RANGES.**

(a) AUTHORITY.—For the revitalization of jungle operations training ranges under the jurisdiction of the Secretary of the Army, the Secretary may obligate and expend—

(1) from appropriations available to the Secretary for operation and maintenance, amounts necessary to carry out an unspecified minor military construction project costing not more than \$6,780,000, notwithstanding section 2805(c) of title 10, United States Code; or

(2) from appropriations available to the Secretary for military construction not otherwise authorized by law, amounts necessary to carry out an unspecified minor military construction project costing not more than \$6,780,000.

(b) NOTIFICATION REQUIREMENT.—When a decision is made to carry out an unspecified minor military construction project to which subsection (a) is applicable, the Secretary shall notify in writing the congressional defense committees of that decision, of the justification for the project, and of the estimated cost of the project in accordance with section 2805(b) of title 10, United States Code.

(c) SUNSET.—The authority to carry out a project under subsection (a) shall expire at the close of September 30, 2018.

**SA 4092.** Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

**SEC. 314. AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDING TO CONVERT REAL PROPERTY FACILITIES, SYSTEMS, AND COMPONENTS TO NEW FUNCTIONAL PURPOSES WITHOUT INCREASING EXTERNAL DIMENSIONS.**

Section 2811(e) of title 10, United States Code, is amended—

(1) by striking “means a project to restore” and inserting the following: “means a project—

“(1) to restore”;

(2) by striking the period at the end and inserting “; or”;

(3) by adding at the end the following new paragraph:

“(2) to convert a real property facility, system, or component to a new functional purpose without increasing its external dimensions.”

**SA 4093.** Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

**SEC. 1247. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON UNITED STATES INTERESTS IN THE FREELY ASSOCIATED STATES.**

(a) REPORT REQUIRED.—Not later than December 1, 2017, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth the results of a study, conducted by the Comptroller General for purposes of the report, on United States security and foreign policy interests in the Freely Associated States of the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

(b) ELEMENTS.—The study required pursuant to subsection (a) shall address the following:

(1) The role of the Compacts of Free Association in promoting United States defense and foreign policy interests, and the status of the obligations of the United States and the Freely Associated States under the Compacts of Free Association.

(2) The economic assistance practices of the People's Republic of China in the Freely Associated States, and the implications of such practices for United States defense and foreign policy interests in the Freely Associated States and the Pacific region.

(3) The economic assistance practices of other countries in the Freely Associated States, as determined by the Comptroller General, and the implications of such practices for United States defense and foreign policy interests in the Freely Associated States and the Pacific region.

(4) Any other matters the Comptroller General considers appropriate.

**SA 4094.** Mr. INHOFE (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

**SEC. 221. MICRO-PURCHASE THRESHOLD FOR UNIVERSITIES, INDEPENDENT RESEARCH INSTITUTES, AND NON-PROFIT RESEARCH ORGANIZATIONS.**

Section 1902 of title 41, United States Code, is amended—

(1) in subsection (a), as amended by section 215(b)—

(A) by inserting “(1)” before “Except as provided”;

(B) by inserting “and paragraph (2)” after “section 2338 of title 10”;

(C) by adding at the end the following new paragraph:

“(2) For purposes of this section, the micro-purchase threshold for procurement activities administered under sections 6303 through 6305 of title 31, United States Code, by institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), or related or affiliated nonprofit entities, or by nonprofit research organizations or independent research institutes is—

“(A) \$10,000; or

“(B) such higher threshold as determined appropriate by the head of the relevant executive agency and consistent with clean audit findings under chapter 75 of title 31, United States Code, internal institutional risk assessment, or State law.”; and

(2) in subsections (d) and (e), by striking “not greater than \$3,000” and inserting “with a price not greater than the micro-purchase threshold”.

**SA 4095.** Mrs. ERNST submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1097. PROJECT MANAGEMENT.**

(a) DEPUTY DIRECTOR FOR MANAGEMENT.—

(1) ADDITIONAL FUNCTIONS.—Section 503 of title 31, United States Code, is amended by adding at the end the following:

“(C) PROGRAM AND PROJECT MANAGEMENT.—

“(1) REQUIREMENT.—Subject to the direction and approval of the Director, the Deputy Director for Management or a designee shall—

“(A) adopt governmentwide standards, policies, and guidelines for program and project management for executive agencies;

“(B) oversee implementation of program and project management for the standards, policies, and guidelines established under subparagraph (A);

“(C) chair the Program Management Policy Council established under section 1126(b);

“(D) establish standards and policies for executive agencies, consistent with widely accepted standards for program and project management planning and delivery;

“(E) engage with the private sector to identify best practices in program and project management that would improve Federal program and project management;

“(F) conduct portfolio reviews to address programs identified as high risk by the Government Accountability Office;

“(G) not less than annually, conduct portfolio reviews of agency programs in coordination with Project Management Improvement Officers designated under section 1126(a)(1) to assess the quality and effectiveness of program management; and

“(H) establish a 5-year strategic plan for program and project management.

“(2) APPLICATION TO DEPARTMENT OF DEFENSE.—Paragraph (1) shall not apply to the Department of Defense to the extent that the provisions of that paragraph are substantially similar to or duplicative of the provisions of chapter 87 of title 10.”.

(2) DEADLINE FOR STANDARDS, POLICIES, AND GUIDELINES.—Not later than 1 year after the

date of enactment of this Act, the Deputy Director for Management of the Office of Management and Budget shall issue the standards, policies, and guidelines required under section 503(c) of title 31, United States Code, as added by paragraph (1).

(3) REGULATIONS.—Not later than 90 days after the date on which the standards, policies, and guidelines are issued under paragraph (2), the Deputy Director for Management of the Office of Management and Budget, in consultation with the Program Management Policy Council established under section 1126(b) of title 31, United States Code, as added by subsection (b)(1), and the Director of the Office of Management and Budget, shall issue any regulations as are necessary to implement the requirements of section 503(c) of title 31, United States Code, as added by paragraph (1).

(b) PROGRAM MANAGEMENT IMPROVEMENT OFFICERS AND PROGRAM MANAGEMENT POLICY COUNCIL.—

(1) AMENDMENT.—Chapter 11 of title 31, United States Code, is amended by adding at the end the following:

**“§ 1126. Program Management Improvement Officers and Program Management Policy Council**

“(a) PROGRAM MANAGEMENT IMPROVEMENT OFFICERS.—

“(1) DESIGNATION.—The head of each agency described in section 901(b) shall designate a senior executive of the agency as the Program Management Improvement Officer of the agency.

“(2) FUNCTIONS.—The Program Management Improvement Officer of an agency designated under paragraph (1) shall—

“(A) implement program management policies established by the agency under section 503(c); and

“(B) develop a strategy for enhancing the role of program managers within the agency that includes the following:

“(i) Enhanced training and educational opportunities for program managers that shall include—

“(I) training in the relevant competencies encompassed with program and project manager within the private sector for program managers; and

“(II) training that emphasizes cost containment for large projects and programs.

“(ii) Mentoring of current and future program managers by experienced senior executives and program managers within the agency.

“(iii) Improved career paths and career opportunities for program managers.

“(iv) A plan to encourage the recruitment and retention of highly qualified individuals to serve as program managers.

“(v) Improved means of collecting and disseminating best practices and lessons learned to enhance program management across the agency.

“(vi) Common templates and tools to support improved data gathering and analysis for program management and oversight purposes.

“(3) APPLICATION TO DEPARTMENT OF DEFENSE.—This subsection shall not apply to the Department of Defense to the extent that the provisions of this subsection are substantially similar to or duplicative of the provisions of chapter 87 of title 10.

(b) PROGRAM MANAGEMENT POLICY COUNCIL.—

“(1) ESTABLISHMENT.—There is established in the Office of Management and Budget a council to be known as the ‘Program Management Policy Council’ (in this subsection referred to as the ‘Council’).

“(2) PURPOSE AND FUNCTIONS.—The Council shall act as the principal interagency forum for improving agency practices related to

program and project management. The Council shall—

“(A) advise and assist the Deputy Director for Management of the Office of Management and Budget;

“(B) review programs identified as high risk by the General Accountability Office and make recommendations for actions to be taken by the Deputy Director for Management of the Office of Management and Budget or a designee;

“(C) discuss topics of importance to the workforce, including—

“(i) career development and workforce development needs;

“(ii) policy to support continuous improvement in program and project management; and

“(iii) major challenges across agencies in managing programs;

“(D) advise on the development and applicability of standards governmentwide for program management transparency; and

“(E) review the information published on the website of the Office of Management and Budget pursuant to section 1122.

“(3) MEMBERSHIP.—

“(A) COMPOSITION.—The Council shall be composed of the following members:

“(i) Five members from the Office of Management and Budget as follows:

“(I) The Deputy Director for Management.

“(II) The Administrator of the Office of Electronic Government.

“(III) The Administrator of Federal Procurement Policy.

“(IV) The Controller of the Office of Federal Financial Management.

“(V) The Director of the Office of Performance and Personnel Management.

“(ii) The Program Management Improvement Officer from each agency described in section 901(b).

“(iii) Other individuals as determined appropriate by the Chairperson.

“(B) CHAIRPERSON AND VICE CHAIRPERSON.—

“(i) IN GENERAL.—The Deputy Director for Management of the Office of Management and Budget shall be the Chairperson of the Council. A Vice Chairperson shall be elected by the members and shall serve a term of not more than 1 year.

“(ii) DUTIES.—The Chairperson shall preside at the meetings of the Council, determine the agenda of the Council, direct the work of the Council, and establish and direct subgroups of the Council as appropriate.

“(4) MEETINGS.—The Council shall meet not less than twice per fiscal year and may meet at the call of the Chairperson or a majority of the members of the Council.

“(5) SUPPORT.—The head of each agency with a Project Management Improvement Officer serving on the Council shall provide administrative support to the Council, as appropriate, at the request of the Chairperson.

“(6) COMMITTEE DURATION.—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.”.

(2) REPORT REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget, in consultation with each Program Management Improvement Officer designated under section 1126(a)(1) of title 31, United States Code, shall submit to Congress a report containing the strategy developed under section 1126(a)(2)(B) of such title, as added by paragraph (1).

(c) PROGRAM AND PROJECT MANAGEMENT PERSONNEL STANDARDS.—

(1) DEFINITION.—In this subsection, the term “agency” means each agency described in section 901(b) of title 31, United States Code.

(2) REGULATIONS REQUIRED.—Not later than 180 days after the date on which the standards, policies, and guidelines are issued

under section 503(c) of title 31, United States Code, as added by subsection (a)(1), the Director of the Office of Personnel Management, in consultation with the Director of the Office of Management and Budget, shall issue regulations that—

(A) identify key skills and competencies needed for a program and project manager in an agency;

(B) establish a new job series, or update and improve an existing job series, for program and project management within an agency; and

(C) establish a new career path for program and project managers within an agency.

(d) GAO REPORT ON EFFECTIVENESS OF POLICIES ON PROGRAM AND PROJECT MANAGEMENT.—Not later than 3 years after the date of enactment of this Act, the Government Accountability Office shall issue, in conjunction with the High Risk list of the Government Accountability Office, a report examining the effectiveness of the following on improving Federal program and project management:

(1) The standards, policies, and guidelines for program and project management issued under section 503(c) of title 31, United States Code, as added by subsection (a)(1).

(2) The 5-year strategic plan established under section 503(c)(1)(H) of title 31, United States Code, as added by subsection (a)(1).

(3) Program Management Improvement Officers designated under section 1126(a)(1) of title 31, United States Code, as added by subsection (b)(1).

(4) The Program Management Policy Council established under section 1126(b)(1) of title 31, United States Code, as added by subsection (b)(1).

**SA 4096.** Mr. McCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 502, insert the following:

**SEC. 502A. REDUCTION IN NUMBER OF GENERAL AND FLAG OFFICERS.**

(a) PLAN FOR ACHIEVEMENT OF REDUCTION.—

(1) IN GENERAL.—Commencing not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall implement a plan to reduce the number of general and flag officers authorized by sections 525 and 526 of title 10, United States Code, by a number that is not less than 25 percent of the aggregate authorized baseline number of general and flag officers specified in paragraph (2).

(2) BASELINE.—The aggregate authorized baseline number of general and flag officers specified in this paragraph is the aggregate number of general and flag officers authorized by sections 525 and 526 of title 10, United States Code, as of December 31, 2015, and without regard to either of the following:

(A) A reduction in the authorized number of general and flag officer billets by reason of an amendment or repeal made by section 502.

(B) A reduction in the number of general and flag officer billets in connection with the consolidation of the medical departments of the Army, Navy, and Air Force into the Defense Health Agency pursuant to section 721.

(3) ELEMENTS.—The plan under this subsection shall achieve the following:

(A) The total aggregate strength of officers in the grade of general or admiral may not exceed the number equal to the number of officers serving in the positions as follows:

(i) Chairman of the Joint Chiefs of Staff.

(ii) Vice Chairman of the Joint Chiefs of Staff.

(iii) Commander of each unified or specified combatant command.

(iv) Commander, United States Forces Korea.

(v) An additional officer serving in a position designated pursuant to section 526(b) of title 10, United States Code.

(vi) Chief of Staff of the Army.

(vii) Chief of Naval Operations.

(viii) Chief of Staff of the Air Force.

(ix) Commandant of the Marine Corps.

(x) Chief of the National Guard Bureau.

(xi) Three positions in each of the Army, the Navy, and the Air Force designated by the Secretary for purposes of this subsection.

(B) The total aggregate strength of officers in the grade of lieutenant general or vice admiral may not exceed a number equal to 25 percent of the aggregate number of officers serving in the grade of brigadier general or rear admiral (lower half).

(C) The total aggregate strength of officers in the grade of brigadier general or rear admiral (lower half) may not exceed the number equal to 50 percent of the aggregate authorized baseline number of general and flag officers specified in paragraph (2).

(4) TIME FOR COMPLETION.—The plan shall be implemented so as to achieve the requirements in paragraph (3) by not later than December 31, 2017.

(5) ORDERLY TRANSITION.—

(A) IN GENERAL.—In order to provide an orderly transition for personnel in billets to be eliminated pursuant to the plan, each general or flag officer who has not completed 24 months in a billet to be eliminated pursuant to the plan as of December 31, 2017, may remain in such billet until the last day of the month that is 24 months after the month in which such officer assumed the duties of such billet.

(B) REPORT TO CONGRESS ON COVERED OFFICERS.—The Secretary shall include in the annual report required by section 526(j) of title 10, United States Code, in 2017 a description of the billets in which an officer will remain pursuant to subparagraph (A), including the latest date on which the officer may remain in such billet pursuant to that subparagraph.

(C) NOTICE TO CONGRESS ON DETACHMENT OF COVERED OFFICERS.—The Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a notice on the date on which each officer covered by subparagraph (A) is detached from such officer's billet pursuant to that subparagraph.

(6) REPORTS ON PROGRESS IN IMPLEMENTATION.—The Secretary shall include with the budget for the Department of Defense for each of fiscal year 2018 and 2019, as submitted to Congress pursuant to section 1105 of title 31, United States Code, a report describing and assessing the progress of the Department in implementing the plan and in achieving the requirements of paragraph (3).

(b) REDUCTIONS.—

(1) IN GENERAL.—In order to achieve the requirements of the plan required by subsection (a), effective 30 days after the commencement of the implementation of the plan, the Secretary of Defense shall include with each nomination of an officer to a grade above colonel or captain (in the case of the Navy) that is forwarded by the President to the Senate for appointment, by and with the advice and consent of the Senate, a certification to the Committee on Armed Services of the Senate that the appointment of the of-

ficer to the grade concerned will not result in either of the following:

(A) An aggregate number of general and flag officers in excess of the reduced aggregate number of general and flag officers required by subsection (a)(1).

(B) A number of general and flag officers in excess of the limitations on numbers in grade specified in subparagraphs (A), (B), and (C) of subsection (a)(3).

(2) IMPLEMENTATION.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall revise applicable guidance of the Department of Defense on general and flag officer authorizations in order to ensure that—

(A) the achievement of the reductions required by subsection (a) in incorporated into the planning for the execution of promotions by the military departments and for the joint pool;

(B) to the extent practicable, the resulting grades for general and flag officer billets are uniformly applied to billets of similar duties and responsibilities across the military departments and the joint pool; and

(C) planning achieves a reduction in the headquarters functions and administrative and support activities and staffs of the Department of Defense and the military departments as identified pursuant to the review required by subsection (c).

(c) COMPREHENSIVE REVIEW OF HEADQUARTERS STAFF AND ADMINISTRATIVE AND SUPPORT ACTIVITIES.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a comprehensive review of the headquarters functions and administrative and support activities and staffs of the Department of Defense and the military departments in light of the reductions required by subsection (a), including executive assistants, aides-de-camp, enlisted aides, and similar support authorized for billets that will be eliminated pursuant to that plan required by that subsection.

(2) ELEMENTS.—The review required by paragraph (1) shall determine the following:

(A) The validated direct support staff requirements for each general and flag officer billet that will remain after the reduction pursuant to subsection (a).

(B) The extent, if any, to which the direct support staff requirements of the general and flag officer billet covered by subparagraph (A) may be consolidated with geographically co-located authorized general and flag officer billets to achieve efficiencies and personnel cost savings.

(C) The requirements and justification, if any, for each general and flag officer billet covered by subparagraph (A) to be authorized any of the following:

(i) To have an assigned personal protective detail.

(ii) To be assigned personnel on a permanent and dedicated support basis as follows:

(I) An aide to provide access to continuous and secure communications.

(II) An executive assistant.

(III) An aide-de-camp.

(IV) An enlisted aide.

(iii) To be a required-use user of military aircraft.

(iv) To be provided domicile-to-work transportation.

(v) To use armored or specialized motor vehicle support in the performance of official duties.

(vi) To control for the officer's official use any aircraft, boat, or similar military conveyance.

(vii) To be required to occupy Government quarters.

(D) The extent, if any, to which each billet covered by subparagraph (A) qualifies for joint duty credit.

(E) A frequency for the regular review of each billet covered by subparagraph (A) for the matters specified in subparagraphs (A) through (D), including such a review each time an officer detaches from such billet.

(F) To the extent that the reductions required by subsection (a) are likely to result in reductions in headquarters functions and administrative and support activities and staffs as described in paragraph (1), mechanisms to accomplish reductions in such staffs in a manner that, to the extent practicable, avoids adverse professional and personnel consequences for the personnel of such staffs.

(G) The extent, if any, to which reductions in military and civilian end-strength associated with general or flag officer billets could be used to create, build, or fill shortages in force structure for operational units.

(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 the Joint Chiefs of Staff and experts on matters covered by the review who are independent of the Department of Defense.

(4) REPORT.—Not later than March 1, 2017, the Secretary shall submit to the congressional defense committees a report setting forth the results of the review required by paragraph (1).

**SA 4097.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1097. INCLUSION OF RESERVE SERVICE ON ACTIVE DUTY FOR PREPLANNED MISSIONS AS SERVICE THAT QUALIFIES AS ACTIVE DUTY FOR POST-9/11 EDUCATIONAL ASSISTANCE.**

Section 3301(1)(B) of title 38, United States Code, is amended by striking “or 12304” and inserting “12304, or 12304b”.

**SA 4098.** Mr. MORAN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

**SEC. 1277. LIMITATION ON AVAILABILITY OF FUNDS TO IMPLEMENT THE ARMS TRADE TREATY.**

(a) LIMITATION.—

(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Department of Defense may be obligated or expended to sustain a domestic prosecution based on any charge related to the Arms Trade Treaty, to make assessed payments for the Treaty’s Conference of States Parties or to meet in any other way expenses sustained by the Treaty Secretariat, to make voluntary contributions to any international organization or foreign nation for any pur-

pose related to attendance at the Conference, or to implement the Treaty until the Senate approves a resolution advising and consenting to ratification of the Treaty and there is enacted legislation implementing the Treaty.

(2) EXCEPTIONS.—The limitation in paragraph (1) shall not apply to a United States delegation attending the Treaty’s Conference of State Parties, subsidiary bodies, or extraordinary meetings, or to the payment, to entities other than the Treaty Secretariat, of an attendance fee towards the cost of preparing and holding the Conference of State Parties, or subsidiary body meeting as applicable.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude the Department of Defense from assisting foreign countries in bringing their laws, regulations, and practices related to export control up to United States standards.

**SA 4099.** Mrs. ERNST submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XVI, add the following:

**Subtitle G—Modernization of Intelligence Functions of the Armed Forces**

**SEC. 1681. SHORT TITLE.**

This subtitle may be cited as the “Military Intelligence Modernization Act of 2016”.

**SEC. 1682. MODERNIZATION OF THE MILITARY INTELLIGENCE FORCE STRUCTURE OF THE ARMY.**

(a) ASSIGNMENT OF MILITARY INTELLIGENCE UNITS TO ARMY COMPONENT COMMANDS.—Not later than one year after the date of the enactment of this Act, the Secretary of the Army shall assign a theater level military intelligence unit to each of the component commands of the Army, except the Army North Command, Army Special Operations Command, Military Surface Deployment and Distribution Command, and the Army Space and Missile Defense Command/Army Forces Strategic Command.

(b) ANNUAL REPORT ON MILITARY INTELLIGENCE REQUIREMENTS ASSIGNED TO RESERVE COMPONENTS.—Not less frequently than once each year, the Secretary of the Army shall submit to the congressional defense committees a report on enduring military intelligence requirements which have been assigned to a reserve component of the Army that were previously assigned to the regular Army.

(c) FUNDING FOR THE FOUNDRY INTELLIGENCE TRAINING PROGRAM OF THE ARMY.—

(1) PROHIBITION ON USE OF FUNDS FOR OPERATIONAL MISSIONS.—No amount appropriated or otherwise made available to or for the Foundry Intelligence Training Program of the Army may be used for any operational mission or assignment of the Armed Forces.

(2) PROHIBITION ON USE OF FUNDS FOR CERTAIN TRAINING.—No amount appropriated or otherwise made available to or for the Foundry Intelligence Training Program of the Army may be used for the following:

(A) Non-military intelligence related training activities.

(B) Training for members of the Army without a military intelligence military occupational specialty (MOS).

(3) TRANSFER OF ACCOUNT.—The Army Foundry Intelligence Training Program account is hereby transferred to the Army Training and Doctrine Command.

**SEC. 1683. TERMINATION OF ARMY RESERVE MILITARY INTELLIGENCE READINESS COMMAND.**

The Secretary of the Army shall take such actions as may be necessary to wind down and terminate the Army Reserve Military Intelligence Readiness Command before the date that is one year after the date of the enactment of this Act.

**SEC. 1684. MATTERS CONCERNING MILITARY INTELLIGENCE PERSONNEL OF THE ARMY.**

(a) ESTABLISHMENT OF REGIONAL QUALIFICATION IDENTIFIERS OR REQUIREMENTS.—Not later than one year after the date of the enactment of this Act, the Secretary of the Army shall establish a regional qualification identifier or requirement for military intelligence officers and noncommissioned officers which includes consideration of the following:

(1) Overseas assignments.

(2) Language proficiency.

(3) Such advanced educational degrees as the Secretary considers relevant.

(b) ALIGNMENT OF MILITARY INTELLIGENCE OCCUPATIONAL SPECIALTY ENTRANCE REQUIREMENTS.—Not later than one year after the date of the enactment of this Act, the Secretary of the Army shall align the Army Human Intelligence Collector military occupational specialty (35M) entrance requirements with the entrance requirements of the Army Counterintelligence Agent military occupational specialty (35L).

**SEC. 1685. DEPARTMENT OF DEFENSE-WIDE REQUIREMENTS CONCERNING MILITARY INTELLIGENCE.**

Not later than one year after the date of the enactment of this Act, the head of each military department shall assign an officer with a military occupational specialty relating to military intelligence to serve as the senior intelligence officer and advisor for such department.

**SA 4100.** Mrs. ERNST submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 549 and insert the following:

**SEC. 549. CAREER MILITARY JUSTICE LITIGATION TRACK FOR JUDGE ADVOCATES.**

(a) CAREER LITIGATION TRACK REQUIRED.—

(1) IN GENERAL.—The Secretary of each military department shall establish a career military justice litigation track for judge advocates in the Armed Forces under the jurisdiction of the Secretary.

(2) CONSULTATION.—The Secretary of the Army and the Secretary of the Air Force shall establish the litigation track required by this section in consultation with the Judge Advocate General of the Army and the Judge Advocate General of the Air Force, respectively. The Secretary of the Navy shall establish the litigation track in consultation with the Judge Advocate General of the Navy and the Staff Judge Advocate to the Commandant of the Marine Corps.

(b) ELEMENTS.—Each career litigation track under this section shall provide for the following:

(1) Assignment and advancement of qualified judge advocates in and through assignments and billets relating to the practice of military justice under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).

(2) Establishing for each Armed Force the assignments and billets covered by paragraph (1), which shall include trial counsel, defense counsel, military trial judge, military appellate judge, academic instructor, all positions within criminal law offices or divisions of such Armed Force, Special Victims Prosecutor, Victims' Legal Counsel, Special Victims' Counsel, and such other positions as the Secretary of the military department concerned shall specify.

(3) For judge advocates participating in such litigation track, mechanisms as follows:

(A) To prohibit a judge advocate from more than a total of four years of duty or assignments outside such litigation track

(B) To prohibit any adverse assessment of a judge advocate so participating by reason of such participation in the promotion of officers through grade O-6 (or such higher grade as the Secretary of the military department concerned shall specify for purposes of such litigation track).

(4) Such additional requirements and qualifications for the litigation track as the Secretary of the military department concerned considers appropriate, including requirements and qualifications that take into account the unique personnel needs and requirement of an Armed Force.

(c) IMPLEMENTATION DEADLINE.—Each Secretary of a military department shall implement the career litigation track required by this section for the Armed Forces under the jurisdiction of such Secretary by not later than 18 months after the date of the enactment of this Act.

(d) REPORT.—Not later than one year after the date of the enactment of this Act, each Secretary of a military department shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the progress of such Secretary in implementing the career litigation track required under this section for the Armed Forces under the jurisdiction of such Secretary.

**SA 4101.** Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 423, strike lines 16 and 17 and insert the following:

(a) IN GENERAL.—Except as provided in subsection (c), not later than 90 days after submitting the report required by subsection (d), or one year after the date of the enactment of this Act, whichever occurs first, the Secretary of Defense

On page 425, strike lines 10 through 18 and insert the following:

(5) The Secretary shall ensure that any covered beneficiary who may be affected by modifications, reductions, or eliminations implemented under this section will be able to receive through the purchased care component of the TRICARE program any medical services that will not be available to such covered beneficiary at a military treatment facility as a result of such modifications, reductions, or eliminations.

(c) EXCEPTION.—The Secretary is not required to implement measures under subsection (a) with respect to overseas military health care facilities in a country if the Secretary determines that medical services in addition to the medical services described in

subsection (b)(2) are necessary to ensure that covered beneficiaries located in that country have access to a similar level of care available to covered beneficiaries located in the United States.

(d) REPORT ON MODIFICATIONS.—

(1) IN GENERAL.—Not later than 270 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 the modifications to medical services, military treatment facilities, and personnel in the military health system to be implemented pursuant to subsection (a).

(2) ELEMENTS.—The report required by paragraph (1) shall include, at a minimum, the following:

(A) A description of the medical services and associated personnel capacities necessary for the military medical force readiness of the Department of Defense.

(B) A comprehensive plan to modify the personnel and infrastructure of the military health system to exclusively provide medical services necessary for the military medical force readiness of the Department of Defense, including the following:

(i) A description of the planned changes or reductions in medical services provided by the military health system.

(ii) A description of the planned changes or reductions in staffing of military personnel, civilian personnel, and contractor personnel within the military health system.

(iii) A description of the personnel management authorities through which changes or reductions described in clauses (i) and (ii) will be made.

(iv) A description of the planned changes to the infrastructure of the military health system.

(v) An estimated timeline for completion of the changes or reductions described in clauses (i), (ii), and (iv) and other key milestones for implementation of such changes or reductions.

(e) COMPTROLLER GENERAL REPORT.—

On page 428, between lines 15 and 16, insert the following:

(3) The terms “covered beneficiary” and “TRICARE program” have the meanings given those terms in section 1072 of title 10, United States Code.

**SA 4102.** Mr. PERDUE (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

**SEC. 147. SUPPORT FOR E-8C JSTARS FLEET.**

The Secretary of Defense shall continue to provide support for the existing E-8C JSTARS fleet in the form of supply parts, operational aircrew, maintenance, and combat training instructors to ensure overseas combat capability and presence until a rapid acquisition plan is in effect for the Joint Surveillance Target Attack Radar System (JSTARS) recapitalization program.

**SA 4103.** Mr. PERDUE (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for mili-

tary activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

**SEC. 147. FUNDING OF JOINT SURVEILLANCE TARGET ATTACK RADAR SYSTEM (JSTARS) RECAPITALIZATION PROGRAM AS A RAPID ACQUISITION PROGRAM.**

The Secretary of Defense shall fund the Joint Surveillance Target Attack Radar System (JSTARS) recapitalization program in fiscal year 2017 as a rapid acquisition program in order to achieve Initial Operating Capability (IOC) by not later than 2023 and Full Operating Capability (FOC) by not later than 2027.

**SA 4104.** Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1008. REPORT ON EFFORTS OF THE UNITED STATES SOUTHERN COMMAND TO DETECT AND MONITOR DRUG TRAFFICKING.**

The Secretary of Defense shall submit to Congress a report setting forth a description and assessment of the effectiveness of the efforts of the United States Southern Command to limit threats to the national security of the United States by detecting and monitoring drug trafficking, including, in particular, trafficking of heroin and fentanyl.

**SA 4105.** Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

**SEC. 1227. EXTENSION OF REPORTS ON USE OF CERTAIN IRANIAN SEAPORTS BY FOREIGN VESSELS AND USE OF FOREIGN AIRPORTS BY SANCTIONED IRANIAN AIR CARRIERS.**

Section 1252(a) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 2017; 22 U.S.C. 8808(a)) is amended in the matter preceding paragraph (1) by striking “2016” and inserting “2019”.

**SA 4106.** Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

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

At the end of subtitle D of title XII, add the following:

**SEC. 1227. REPORTS ON USE BY THE GOVERNMENT OF IRAN OF COMMERCIAL AIRCRAFT AND RELATED SERVICES FOR ILLICIT MILITARY OR OTHER ACTIVITIES.**

(a) **REPORTS.**—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the President, in coordination with the Secretary of Defense and the Secretary of State, shall submit to the appropriate committees of Congress a report on the use by the Government of Iran of commercial aircraft and related services for illicit military or other activities during the five-year period ending on the date of such report.

(b) **ELEMENTS.**—Each report under subsection (a) shall include, for the period covered by such report, the following:

(1) A description of the extent to which the Government of Iran has used commercial aircraft or related services to transport illicit cargo to or from Iran, including military goods, weapons, military personnel, military-related electronic parts and mechanical equipment, and rocket or missile components.

(2) A description of the extent to which the commercial aviation sector of Iran has provided financial, material, and technological support to the Islamic Revolutionary Guard Corps (IRGC).

(3) An identification of the foreign governments and persons that facilitated the activities described pursuant to paragraph (1), including by permitting the use of airports, services, or other resources for such activities.

(c) **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, 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.

**SA 4107.** Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

**SEC. 1227. DEPARTMENT OF DEFENSE REPORT ON COOPERATION BETWEEN IRAN AND THE RUSSIAN FEDERATION.**

(a) **REPORT REQUIRED.**—The Secretary of Defense and the Secretary of State shall jointly submit to Congress a report on cooperation between Iran and the Russian Federation and how and to what extent such cooperation affects United States national security and strategic interests.

(b) **MATTERS TO BE INCLUDED.**—The report required by subsection (a) shall include the following elements:

(1) A description of how and to what extent the Governments of Iran and the Russian Federation cooperate on matters relating to Iran’s space program, including how and to what extent such cooperation strengthens Iran’s ballistic missile program.

(2) A description of how and to what extent Iran’s interests and actions and the Russian Federation’s interests and actions overlap with respect to Latin America.

(3) A description and analysis of the intelligence-sharing center established by Iran, the Russian Federation, and Syria in Baghdad, Iraq and whether such center is being used for purposes other than the purposes of the joint mission of such countries in Syria.

(4) A description and analysis of—  
(A) naval cooperation between Iran and the Russian Federation, including joint naval exercises between the two countries; and

(B) the implications of—  
(i) an increased Russian Federation naval presence in the Eastern Mediterranean; and  
(ii) an Iranian naval presence in the Persian Gulf.

(5) A description of the increased cooperation between Iran and the Russian Federation since the start of the current conflict in Syria.

(6) A description of the steps Iran has taken to adopt the Russian Federation model of hybrid warfare against potential targets such as Gulf Cooperation Council states with sizeable Shiite populations.

(7) An assessment of the extent of Russian Federation cooperation with Hezbollah in Syria, Lebanon, and Iraq, including cooperation with respect to training and equipping and joint operations.

(8) A description of the weapons that have been provided by the Russian Federation to Iran that have violated relevant United Nations Security Council resolutions imposing an arms embargo on Iran.

(c) **SUBMISSION PERIOD.**—The report required by subsection (a) shall be submitted not later than 120 days after the date of the enactment of this Act, and annually thereafter, for such period of time as the Joint Comprehensive Plan of Action remains in effect.

(d) **FORM.**—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(e) **JOINT COMPREHENSIVE PLAN OF ACTION DEFINED.**—In this section, the term “Joint Comprehensive Plan of Action” means the Joint Comprehensive Plan of Action signed at Vienna on July 14, 2015, by Iran and by France, Germany, the Russian Federation, the People’s Republic of China, the United Kingdom, and the United States.

**SA 4108.** Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

**SEC. 1227. SEMIANNUAL REPORT ON IRAN AND NORTH KOREA NUCLEAR AND BALLISTIC MISSILE COOPERATION.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) Iran developed a close working relationship with North Korea on many ballistic missile programs, dating back to an acquisition of Scud missiles from North Korea in the mid-1980s.

(2) By the mid-1980s North Korea reverse-engineered Scud B missiles originally received from Egypt, and developed the 500-kilometer range Scud C missile in 1991, and sold both the Scud B and Scud C, as well as missile production technology, to Iran.

(3) In 1992, then-Director of the Central Intelligence Robert Gates, in testimony to Congress, identified Iran as a recipient of North Korean Scud missiles.

(4) In 1993, then-Director of Central Intelligence James Woolsey provided more detail, stating that North Korea had sold Iran extended range Scud C missiles and agreed to sell other forms of missile technology.

(5) Annual threat assessments from the intelligence community during the 1990s showed that North Korea’s ongoing export of ballistic missiles provided a qualitative increase in capabilities to countries such as Iran.

(6) The same threat assessments noted that Iran was using North Korean ballistic missile goods and services to achieve its goal of self-sufficiency in the production of medium-range ballistic missiles.

(7) The intelligence community assessed in the 1990s that Iran’s acquisition of missile systems or key missile-related components could improve Iran’s ability to produce an intercontinental ballistic missile (ICBM).

(8) Throughout the 2000s, the intelligence community continued to assess that North Korean cooperation with Iran’s ballistic missile program was ongoing and significant.

(9) In 2007 a failed missile test in Syria caused the death of Syrian, Iranian, and North Korean experts.

(10) North Korea built the nuclear reactor in Syria that was bombed in 2007. Syria failed to report the construction of the reactor to the International Atomic Energy Agency (IAEA), which was Syria’s obligation under its safeguards agreement with the agency.

(11) Official sources confirm that Iran and North Korea have engaged in various forms of clandestine nuclear cooperation.

(12) North Korea and Iran obtained designs and materials related to uranium enrichment from a clandestine procurement network run by Abdul Qadeer Khan.

(13) In the early 2000s, North Korea exported, with the assistance of Abdul Qadeer Khan, uranium hexafluoride (UF<sub>6</sub>) gas to Libya, which was intended to be used in Libya’s clandestine nuclear weapons program.

(14) On January 6, 2016, North Korea conducted its fourth nuclear weapons test.

(15) Iranian officials reportedly traveled to North Korea to witness its three previous nuclear tests in 2006, 2009, and 2013.

(16) Before North Korea’s 2013 test, a senior American official was quoted as saying “it’s very possible that North Koreans are testing for two countries”.

(17) In September 2012, Iran and North Korea signed an agreement for technological and scientific cooperation.

(18) In an April 2015 interview with CNN, Secretary of Defense Ashton Carter said that North Korea and Iran “could be” cooperating to develop a nuclear weapon.

(19) On February 9, 2016, Director of National Intelligence Jim Clapper provided written testimony to Congress that stated that Pyongyang’s “export of ballistic missiles and associated materials to several countries, including Iran and Syria, and its assistance to Syria’s construction of a nuclear reactor . . . illustrate its willingness to proliferate dangerous technologies”.

(20) A 2016 Congressional Research Service report confirmed that “ballistic missile technology cooperation between the two [Iran and North Korea] is significant and meaningful”.

(21) Admiral Bill Gortney, Commander of United States Northern Command, testified to Congress on April 14, 2016, that “Iran’s continuing pursuit of long-range missile capabilities and ballistic missile and space



launch programs, in defiance of United Nations Security Council resolutions, remains a serious concern”.

(22) Iran has engaged in nuclear technology cooperation with North Korea.

(23) It has been suspected for over a decade that Iran and North Korea are working together on nuclear weapons development.

(24) Since the Intelligence Authorization Act for Fiscal Year 2013 (Public Law 112-277) repealed requirements for the intelligence community to provide unclassified annual report to Congress on the “Acquisition of Technology Relating to Weapons of Mass Destruction and Advanced Conventional Munitions”, the number of unclassified reports to Congress on nuclear-weapons issues decreased considerably.

(25) North Korea’s cooperation with Iran on nuclear weapon development is widely suspected, but has yet to be detailed by the President to Congress.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the ballistic missile programs of Iran and North Korea represent a serious threat to allies of the United States in the Middle East, Europe, and Asia, members of the Armed Forces deployed in those regions, and ultimately the United States;

(2) further cooperation between Iran and North Korea on nuclear weapons or ballistic missile technology is not in the security interests of the United States or our allies;

(3) the testing and production by Iran of ballistic missiles capable of carrying a nuclear device is a clear violation of United Nations Security Council Resolution 2231 (2015), which was unanimously adopted by the United Nations Security Council and supported by the international community; and

(4) Iran is using its space launch program to develop the capabilities necessary to deploy an intercontinental ballistic missile that could threaten the United States, and the Director of National Intelligence has assessed that Iran would use ballistic missiles as its “preferred method of delivering nuclear weapons”.

(c) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the President, in coordination with the Secretary of Defense, the Secretary of State, and the heads of other relevant agencies, shall submit to the appropriate committees of Congress a report on nuclear and ballistic missile cooperation between the Government of Iran and the Government of the Democratic People’s Republic of North Korea, including the identity of Iranian and North Korean persons that have knowingly engaged in or directed the provision of material support or the exchange of information between the Government of Iran and the Government of the Democratic People’s Republic of North Korea on their respective nuclear programs.

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

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

**SA 4109.** Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for

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

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

**SEC. 1004. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON MECHANISMS TO ELIMINATE EXCESSIVE AND UNNECESSARY END-OF-FISCAL YEAR SPENDING.**

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 congressional defense committees a report setting forth recommendations for mechanisms to reduce or eliminate excessive spending by the Department of Defense in September as a means of ensuring that future fiscal year appropriations are not reduced for lack of use of current budgetary resources. The recommendations shall include recommendations on the following:

(1) Mechanisms to enhance flexibility in spending by the Chiefs of Staff of the Armed Forces, and by tactical units of the Armed Forces, with respect to end-of-fiscal-year obligations.

(2) Mechanisms to encourage long-term savings and more efficient spending practices.

(3) Such other mechanisms as the Comptroller General considers appropriate.

**SA 4110.** Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 341. LIMITATION ON FUNDS FOR DEFENSE CONTRACT MANAGEMENT AGENCY.**

(a) PROHIBITION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for operation and maintenance for the Defense Contract Management Agency, \$10,000,000 may not be obligated or expended until a period of 30 days has elapsed following the date on which the Director of the Defense Contract Management Agency submits to the congressional defense committees a report on the Defense Contract Management Agency’s plan to foster the adoption, implementation, and verification of the Department of Defense’s revised Item Unique Identification policy across the Department and the defense industrial base.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Contract Management Agency shall submit to the congressional defense committees a report that provides a detailed plan on the Agency’s new policies, procedures, staff training, and equipment—

(1) to ensure contract compliance with the Item Unique Identification policy for all items that require unique item level traceability at any time in their lifecycle;

(2) to support counterfeit material risk reduction; and

(3) to provide for systematic assessment and accuracy of item unique identification marks as set forth by Department of Defense Instruction 8320.04.

**SA 4111.** Mrs. ERNST (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

**SEC. 1224. TEMPORARY EMERGENCY AUTHORIZATION OF DEFENSE ARTICLES, DEFENSE SERVICES, AND RELATED TRAINING DIRECTLY TO THE KURDISTAN REGIONAL GOVERNMENT.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Islamic State of Iraq and the Levant (ISIL) poses an acute threat to the people and territorial integrity of Iraq, including the Iraqi Kurdistan Region, and the security and stability of the Middle East and the world;

(2) 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; and

(3) any outstanding issues between the Government of Iraq and the Kurdistan Regional Government should be resolved by the two parties expeditiously.

(b) STATEMENT OF POLICY.—It is the policy of the United States to promote a stable and unified Iraq, including by directly providing the Kurdistan Regional Government military and security forces associated with the Government of Iraq with defense articles, defense services, and related training, on an emergency and temporary basis, to more effectively partner with the United States and other international coalition members to defeat the Islamic State of Iraq and the Levant (ISIL).

(c) AUTHORIZATION.—

(1) MILITARY ASSISTANCE.—The President, in consultation with the Government of Iraq, is authorized to provide defense articles, defense services, and related training directly to Kurdistan Regional Government military and security forces associated with the Government of Iraq for the purpose of supporting international coalition efforts against the Islamic State of Iraq and the Levant (ISIL) and any successor group or associated forces.

(2) DEFENSE EXPORTS.—The President is authorized to issue licenses authorizing United States exporters to export defense articles, defense services, and related training directly to the Kurdistan Regional Government military and security forces described in paragraph (1). For purposes of processing applications for such export licenses, the President is authorized to accept End Use Certificates approved by the Kurdistan Regional Government.

(3) TYPES OF ASSISTANCE.—Assistance authorized under paragraph (1) and exports authorized under paragraph (2) may 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, excess defense articles and other military assistance that the President determines to be appropriate.

(d) RELATIONSHIP TO EXISTING AUTHORITIES.—

(1) RELATIONSHIP TO EXISTING AUTHORITIES.—Assistance authorized under subsection (c)(1) and licenses for exports authorized under subsection (c)(2) shall be provided pursuant to the applicable provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.) and the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), notwithstanding any requirement in such applicable provisions of law that a recipient of assistance of the type authorized under subsection (c)(1) shall be a country or international organization. In addition, any requirement in such provisions of law applicable to such countries or international organizations concerning the provision of end use retransfers and other assurance required for transfers of such assistance should be secured from the Kurdistan Regional Government.

(2) CONSTRUCTION AS PRECEDENT.—Nothing in this section shall be construed as establishing a precedent for the future provision of assistance described in subsection (c) to organizations other than a country or international organization.

(e) REPORTS.—

(1) INITIAL REPORT.—Not later than 45 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes the following:

(A) A timeline for the provision of defense articles, defense services, and related training under the authority of subsections (c)(1) and (c)(2).

(B) A description of mechanisms and procedures for end-use monitoring of such defense articles, defense services, and related training.

(C) How such defense articles, defense services, and related training would contribute to the foreign policy and national security of the United States, as well as impact security in the region.

(2) UPDATES.—Not later than 180 days after the submittal of the report required by paragraph (1), and every 180 days thereafter through the termination pursuant to subsection (h) of the authority in subsection (c), the President shall submit to the appropriate congressional committees a report updating the previous report submitted under this subsection. In addition to any matters so updated, each report shall include a description of any delays, and the circumstances surrounding such delays, in the delivery of defense articles, defense services, and related training to the Kurdistan Regional Government pursuant to the authority in subsections (c)(1) and (c)(2).

(3) FORM.—Any report under this subsection shall be submitted in unclassified form, but may include a classified annex.

(4) DEFINITION.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(f) NOTIFICATION.—The President should provide notification to the Government of Iraq, when practicable, not later than 15 days before providing defense articles, defense services, or related training to the Kurdistan Regional Government under the authority of subsection (c)(1) or (c)(2).

(g) ADDITIONAL DEFINITIONS.—In this section, the terms “defense article”, “defense service”, and “training” have the meanings given those terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(h) TERMINATION.—The authority to provide defense articles, defense services, and related training under subsection (c)(1) and the authority to issue licenses for exports authorized under subsection (c)(2) shall terminate on the date that is three years after the date of the enactment of this Act.

**SA 4112.** Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title V, add the following:

**SEC. 554. MEDICAL EXAMINATION BEFORE ADMINISTRATIVE SEPARATION FOR MEMBERS WITH POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY IN CONNECTION WITH SEXUAL ASSAULT.**

Section 1177(a)(1) of title 10, United States Code, is amended—

(1) by inserting “, or sexually assaulted,” after “deployed overseas in support of a contingency operation”; and

(2) by inserting “or based on such sexual assault,” after “while deployed.”.

**SA 4113.** Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1097. ELIMINATION OF REQUIREMENT THAT CERTAIN SERVICE IN THE ARMED FORCES BE CONSECUTIVE FOR PURPOSES OF ELIGIBILITY FOR VETERANS HIRING PREFERENCES.**

Section 2108(1) of title 5, United States Code, is amended by striking “180 consecutive days” each place it appears and inserting “180 cumulative days”.

**SA 4114.** Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1097. ELIGIBILITY FOR AIRPORT DEVELOPMENT GRANTS OF AIRPORTS THAT ENTER INTO CERTAIN LEASES WITH COMPONENTS OF THE ARMED FORCES.**

Section 47107 of title 49, United States Code, amended by adding at the end the following:

“(t) AIRPORTS THAT ENTER INTO CERTAIN LEASES WITH THE ARMED FORCES.—The Secretary of Transportation may not disapprove a project grant application under this sub-

chapter for an airport development project at an airport solely because the airport renews a lease for the use, at a nominal rate, of airport property by a regular or reserve component of the Armed Forces, including the National Guard, without regard to whether that component operates aircraft at the airport.”.

**SA 4115.** Mrs. GILLIBRAND (for herself and Mrs. ERNST) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 549, add the following:

(e) COAST GUARD.—

(1) IN GENERAL.—The Secretary of Homeland Security shall carry out a pilot program under subsection (a) with respect to commissioned officers of the Coast Guard designated for special duty (law).

(2) REFERENCES.—Any reference in this section to the Secretary of a military department shall be deemed to refer also to the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, and any reference to judge advocates shall be deemed to refer also to commissioned officers of the Coast Guard designated for special duty (law).

(3) REPORT.—The report under subsection (d) shall also include the information required under that subsection with respect to the pilot program carried out under this subsection. The Secretary of Defense shall coordinate with the Secretary of Homeland Security for purposes of the inclusion in the report under subsection (d) of information with respect to the pilot program carried out under this subsection.

**SA 4116.** Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, add the following:

**SEC. —. REPORT ON DEMOGRAPHICS AND OUTCOMES OF THE JUNIOR RESERVE OFFICERS' TRAINING CORPS PROGRAMS.**

(a) REPORT REQUIRED.—Not later than one year 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 the demographics and outcomes of the Junior Reserve Officers' Training Corps programs under chapter 102 of title 10, United States Code.

(b) ELEMENTS.—The report required by subsection (a) shall include information on the cadets enrolled in Junior Reserve Officers' Training Corps programs during the five-year period ending on the date of the report, as follows:

(1) Race.

(2) Gender.

(3) Ethnicity

(4) Post-Junior Reserve Officers' Training Corps military service.

(5) Appointment to military service academies.

(6) Receipt of scholarships to Senior Reserve Officers' Training Corps programs.

(7) Acceptance to two-year and four year institutions of higher education.

**SA 4117.** Mrs. ERNST (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

**SEC. 1224. TEMPORARY EMERGENCY AUTHORIZATION OF PROVISION OF NON-LETHAL DEFENSE ARTICLES, DEFENSE SERVICES, AND RELATED TRAINING DIRECTLY TO THE KURDISTAN REGIONAL GOVERNMENT.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Islamic State of Iraq and the Levant (ISIL) poses an acute threat to the people and territorial integrity of Iraq, including the Iraqi Kurdistan Region, and the security and stability of the Middle East and the world;

(2) 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; and

(3) any outstanding issues between the Government of Iraq and the Kurdistan Regional Government should be resolved by the two parties expeditiously.

(b) STATEMENT OF POLICY.—It is the policy of the United States to promote a stable and unified Iraq, including by directly providing the Kurdistan Regional Government military and security forces associated with the Government of Iraq with non-lethal defense articles, defense services, and related training, on an emergency and temporary basis, to more effectively partner with the United States and other international coalition members to defeat the Islamic State of Iraq and the Levant (ISIL).

(c) AUTHORIZATION.—

(1) ASSISTANCE.—The President, in consultation with the Government of Iraq, is authorized to provide non-lethal defense articles, non-lethal defense services, and related training directly to Kurdistan Regional Government military and security forces associated with the Government of Iraq for the purpose of supporting international coalition efforts against the Islamic State of Iraq and the Levant (ISIL) and any successor group or associated forces.

(2) DEFENSE EXPORTS.—The President is authorized to issue licenses authorizing United States exporters to export non-lethal defense articles, non-lethal defense services, and related training directly to the Kurdistan Regional Government military and security forces described in paragraph (1). For purposes of processing applications for such export licenses, the President is authorized to accept End Use Certificates approved by the Kurdistan Regional Government.

(3) TYPES OF ASSISTANCE.—Assistance authorized under paragraph (1) and exports authorized under paragraph (2) may include medical supplies and equipment, medical logistical support (including aerial medical evacuation support), secure command and

communications equipment, force protection equipment, body armor, helmets, logistics equipment, other non-lethal excess defense articles and non-lethal defense service, and other military assistance that the President considers appropriate for purposes of this section.

(d) CONSTRUCTION AS PRECEDENT.—Nothing in this section shall be construed as establishing a precedent for the future provision of assistance described in subsection (c) to organizations other than a country or international organization.

(e) REPORTS.—

(1) INITIAL REPORT.—Not later than 45 days after the date of the enactment of this Act, the President shall submit to the appropriate committees of Congress a report that includes the following:

(A) A timeline for the provision of non-lethal defense articles, non-lethal defense services, and related training under the authority of subsections (c)(1) and (c)(2).

(B) A description of mechanisms and procedures for end-use monitoring of such non-lethal defense articles, non-lethal defense services, and related training.

(C) How such non-lethal defense articles, non-lethal defense services, and related training would contribute to the foreign policy and national security of the United States, as well as impact security in the region.

(2) UPDATES.—Not later than 180 days after the submittal of the report required by paragraph (1), and every 180 days thereafter through the termination pursuant to subsection (i) of the authority in subsection (d), the President shall submit to the appropriate congressional committees a report updating the previous report submitted under this subsection. In addition to any matters so updated, each report shall include a description of any delays, and the circumstances surrounding such delays, in the delivery of non-lethal defense articles, non-lethal defense services, and related training to the Kurdistan Regional Government pursuant to the authority in subsections (c)(1) and (c)(2).

(3) FORM.—Any report under this subsection shall be submitted in unclassified form, but may include a classified annex.

(f) NOTIFICATION.—The President should provide notification to the Government of Iraq, when practicable, not later than 15 days before providing non-lethal defense articles, non-lethal defense services, or related training to the Kurdistan Regional Government under the authority of subsection (c)(1) or (c)(2).

(g) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “training” has the meaning given that term in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(h) TERMINATION.—The authority to provide non-lethal defense articles, non-lethal defense services, and related training under subsection (c)(1) and the authority to issue licenses for exports authorized under subsection (c)(2) shall terminate on the date that is three years after the date of the enactment of this Act.

**SA 4118.** Mr. PERDUE submitted an amendment intended to be proposed by

him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 1028, insert the following:

**SEC. 1028A. DECLASSIFICATION OF INFORMATION ON PAST TERRORIST ACTIVITIES OF DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall, consistent with the protection of intelligence sources and methods—

(1) complete a declassification review of intelligence reports prepared by the National Counterterrorism Center prior to Periodic Review Board sessions or detainee transfers on the past terrorist activities of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, who were transferred or released from United States Naval Station, Guantanamo Bay;

(2) make available to the public any information declassified as a result of the declassification review; and

(3) submit to the appropriate committees of Congress a report setting forth—

(A) the results of the declassification review; and

(B) if any information covered by the declassification review was not declassified pursuant to the review, a justification for the determination not to declassify such information.

(b) PAST TERRORIST ACTIVITIES.—For purposes of this section, the past terrorist activities of an individual, if any, shall include the terrorist activities conducted by the individual before the transfer of the individual to the detention facility at United States Naval Station, Guantanamo Bay, including the following:

(1) The terrorist organization, if any, with which affiliated.

(2) The terrorist training, if any, received.

(3) The role, if any, played in past terrorist attacks against the interests or allies of the United States.

(4) The direct responsibility, if any, for the death of citizens of the United States or members of the Armed Forces.

(5) Any admission of any matter specified in paragraphs (1) through (4).

(c) 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.

**SA 4119.** Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 1022, insert the following:

**SEC. 1022A. PROHIBITION ON REPROGRAMMING REQUESTS FOR FUNDS FOR TRANSFER OR RELEASE, OR CONSTRUCTION FOR TRANSFER OR RELEASE, OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

While the prohibitions in sections 1031 and 1032 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 968) are in effect, the Department of Defense may not submit to Congress a reprogramming request for funds to carry out any action prohibited by either such section.

**SA 4120.** Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1097. LIMITATION ON TREATMENT BY SECRETARY OF VETERANS AFFAIRS OF CERTAIN INDIVIDUALS AS ADJUDICATED AS A MENTAL DEFECTIVE.**

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by inserting after section 5501 the following new section: “§5501A. Limitation on treatment by Secretary of certain individuals as adjudicated as a mental defective

“In any case arising out of the administration by the Secretary of any law administered by the Secretary, the Secretary shall not treat an individual as adjudicated as a mental defective for purposes of subsection (d)(4) or (g)(4) of section 922 of title 18 without the order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction that such person is a danger to himself or herself or others.”.

(b) 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 5501 the following new item:

“5501A. Limitation on treatment by Secretary of certain individuals as adjudicated as a mental defective.”.

**SA 4121.** Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1097. IMPROVEMENT OF HEALTH CARE SERVICES PROVIDED TO NEWBORN CHILDREN BY DEPARTMENT OF VETERANS AFFAIRS.**

Section 1786 of title 38, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “seven days” and inserting “14 days”; and

(2) by adding at the end the following new subsection:

“(c) ANNUAL REPORT.—Not later than 31 days after the end of each fiscal year, the

Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the health care services provided under subsection (a) during such fiscal year, including the number of newborn children who received such services during such fiscal year.”.

**SA 4122.** Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 565. MANDATORY PARTICIPATION IN ACCESSING HIGHER EDUCATION ELEMENT OF TRANSITION ASSISTANCE PROGRAM FOR MEMBERS OF THE ARMED FORCES INTENDING TO USE VETERANS EDUCATION BENEFITS AFTER MILITARY SERVICE.**

(a) IN GENERAL.—Each member of the Armed Forces who notifies the Secretary having jurisdiction over such member of an intention to use educational benefits available through the Department of Veterans Affairs (including educational benefits under chapter 30 or 33 of title 38, United States Code) after discharge, separation, or release from the Armed Forces shall be required to participate in the Accessing Higher Education element of the Transition Assistance Program (TAP) of the Department of Defense.

(b) TIMING OF PARTICIPATION.—A member required to participate in the Accessing Higher Education element of the Transition Assistance Program pursuant to subsection (a) shall complete participation in the element not later than one year before the scheduled date of the member’s discharge, separation, or release from the Armed Forces.

(c) NOTIFICATION PROCEDURES.—Members shall make notifications for purposes of subsection (a) in accordance with such procedures as each Secretary of a military department, and the Secretary of Homeland Security with respect to the Coast Guard, shall establish for such purposes.

**SA 4123.** Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

**SEC. 764. STUDY ON EFFECTS OF CONCUSSIONS IN SPORTS AND TRAINING ACTIVITIES AT UNITED STATES SERVICE ACADEMIES.**

(a) STUDY.—The Secretary of Defense shall conduct a study on the effects of concussions in sports and training activities, including hockey, football, lacrosse, soccer, boxing, and martial arts, at the United States service academies.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall examine, at a minimum, the following:

(1) Current efforts by the Department of Defense to investigate the link between repetitive brain trauma and concussions and sports and training activities at the United States service academies.

(2) If any investigations by the Department at the United States service academies have led to findings that link repetitive brain trauma and concussions.

(3) A determination as to whether policies have been put into place to prevent and limit concussions at the United States service academies in sports and training activities, including hockey, football, lacrosse, soccer, boxing, and martial arts.

(c) REPORT.—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 the results of the study conducted under subsection (a).

(d) UNITED STATES SERVICE ACADEMIES DEFINED.—In this section, the term “United States service academies” means the United States Military Academy, the United States Air Force Academy, the United States Naval Academy, the United States Coast Guard Academy, and the United States Merchant Marine Academy.

**SA 4124.** Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 536, insert the following:

**SEC. 536A. REPEAL OF STATUTE OF LIMITATIONS ON CLAIMS BEFORE DISCHARGE REVIEW BOARDS.**

Section 1553(a) of title 10, United States Code, is amended by striking the second sentence.

**SA 4125.** Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 870, between lines 19 and 20, insert the following:

(G) How the current military selective service process impacts citizens across the demographic spectrum, including by socioeconomic status and race, and whether the process needs to be improved to equitably impact all citizens.

**SA 4126.** Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

**SEC. 764. ASSESSMENT OF ABILITY OF DEPARTMENT OF DEFENSE TO USE MODELING AND SIMULATION CAPABILITIES TO ADDRESS MEDICAL TRAINING REQUIREMENTS.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine under which the National Academies assess the ability of the Department of Defense to use modeling and simulation capabilities to address medical training requirements of the Department.

(b) ALTERNATE ORGANIZATION.—

(1) IN GENERAL.—If the Secretary is unable to enter into an agreement described in subsection (a) with the National Academies of Sciences, Engineering, and Medicine on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate organization that—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has expertise and objectivity comparable to that of the National Academies of Sciences, Engineering, and Medicine.

(2) TREATMENT.—If the Secretary enters into an agreement with another organization as described in paragraph (1), any reference in this section to the National Academies of Sciences, Engineering, and Medicine shall be treated as a reference to the other organization.

(c) ELEMENTS.—In conducting the assessment under subsection (a), the National Academies of Sciences, Engineering, and Medicine shall—

(1) assess—

(A) the modeling and simulation technology available to the Federal Government and the private sector;

(B) research and development programs that the Department may be able to undertake to enhance the modeling and simulation technology available to the Department;

(C) programs to transition modeling and simulation technology into operational use by the Department; and

(D) the advantages and disadvantages of using modeling and simulation as compared to live animal training, including fiscal and educational advantages and disadvantages; and

(2) make recommendations to the Secretary on—

(A) improvements to policies and programs of the Department to increase the use of modeling and simulation technology;

(B) research and development priorities of the Department that will enhance modeling and simulation capabilities; and

(C) the development of specific technical metrics to compare modeling and simulation to live animal training.

**SA 4127.** Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

**SEC. 1277. REPORT ON MAINTENANCE BY ISRAEL OF A ROBUST INDEPENDENT CAPABILITY TO REMOVE EXISTENTIAL SECURITY THREATS.**

(a) FINDINGS.—Congress makes the following findings:

(1) The United States-Israel Enhanced Security Cooperation Act of 2012 (22 U.S.C. 8601 et seq.) established the policy of the United States to support the inherent right of Israel to self-defense.

(2) The United States-Israel Enhanced Security Cooperation Act of 2012 expresses the sense of Congress that the Government of the United States should transfer to the Government of Israel defense articles and defense services.

(3) The inherent right of Israel to self-defense necessarily includes the ability to defend against threats to its security and defend its vital national interests.

(b) SENSE OF CONGRESS.—It is the sense of Congress that air refueling tankers and advanced bunker-buster munitions should immediately be transferred to Israel to ensure our democratic ally has an independent capability to remove any existential threat posed by the Iranian nuclear program and defend its vital national interests.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter for a period not to exceed four years, the President shall submit to the specified congressional committees a report that—

(A) identifies all long range defensive capabilities and platforms that would contribute significantly to the maintenance by Israel of a robust independent capability to remove existential security threats, including nuclear and ballistic missile facilities in Iran, and defend its vital national interests;

(B) assesses the availability for sale or transfer of items necessary for Israel to maintain the capability described in subparagraph (A), including the legal authorities available for making such transfers; and

(C) describes the steps the President is taking to immediately transfer the items described in subparagraph (B) for Israel to maintain the capability described in subparagraph (A).

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may contain a classified annex if necessary.

(3) DEFINITION.—In this subsection, the term “specified congressional committees” means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee of Foreign Affairs of the House of Representatives.

**SA 4128.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 565. REPORTS ON READY, RELEVANT LEARNING INITIATIVE OF THE NAVY.**

(a) IN GENERAL.—Not later than September 1, 2016, and March 1 of each of 2017, 2018, and 2019, the Secretary of the Navy shall submit to the congressional defense committees a report on the Ready, Relevant Learning (RRL) initiative of the Navy.

(b) ELEMENTS.—Each report under subsection (a) shall include the following:

(1) An assessment of the performance of the Ready, Relevant Learning initiative during the preceding 12 months under the metrics developed to evaluate the initiative.

(2) A description of current lessons learned through the transition to the Ready, Relevant Learning initiative.

(3) A description of the actions relating to the transition to the Ready, Relevant Learning initiative completed in the last fiscal year ending before the year in which such report is submitted, and anticipated in the fiscal year in which such report is submitted and each of the next five fiscal years, as follows:

(A) Ratings analysis and content re-engineering, by rating or course of instruction.

(B) Decision points of Navy leadership relating to transitions to the initiative, by rating, from the pre-initiative model to the initiative model.

(C) Reductions in Individuals Account by end strength and funding.

(D) Reductions in A-school and C-school billets.

(E) Funding realignments from the military personnel, Navy (MPN) account to the operation and maintenance, Navy (OMN) account in connection.

**SA 4129.** Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1097. SENSE OF CONGRESS ON CHEYENNE MOUNTAIN AIR FORCE STATION.**

It is the sense of Congress that—

(1) Cheyenne Mountain Air Force Station (CMAFS) is an indispensable national security asset that is vital to the defense of North America;

(2) CMAFS, which celebrated its 50th anniversary on April 15, 2016, remains one of the greatest engineering marvels of our time, an American cultural icon, and relevant both now and in the future;

(3) CMAFS is an Electromagnetic Pulse-Hardened facility and operates as the alternate command center for the NORAD and United States Northern Command (NORTHCOM);

(4) since the establishment of the North American Defense Command (NORAD) in 1958, the U.S. and Canada have jointly invested in significant and irreplaceable infrastructure and capabilities to support NORAD in executing its assigned missions, including irreplaceable investment in CMAFS;

(5) CMAFS facilitates integration and operational synergy with NORAD for defense of the homeland, and the significant fixed and unique infrastructure at this location enables daily and contingency operations execution of NORTHCOM's missions;

(6) NORAD and NORTHCOM rely heavily on various communications and data feeds that go through CMAFS, which enable NORAD and NORTHCOM to continue to operate throughout a conflict or other national crisis; and

(7) portions of the Integrated Tactical Warning / Attack Assessment (ITW/AA) system that reside in CMAFS receive, process, and provide national leadership with information on air, missile, and space threats,

which is a critical component of the Nuclear Command and Control System, and is required to provide unambiguous, timely, accurate, and continuous tactical warning and attack assessment information to senior leaders of the United States and Canada throughout conflict or national crisis.

**SA 4130.** Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XVI, add the following:

**SEC. 1641. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON DEPARTMENT OF DEFENSE CRITICAL TELECOMMUNICATIONS EQUIPMENT OR SERVICES OBTAINED FROM SUPPLIERS CLOSELY LINKED TO A LEADING CYBER-THREAT ACTOR.**

(a) **REPORT REQUIRED.**—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 congressional defense committees a report on any critical telecommunications equipment, technologies, or services obtained or used by the Department of Defense or its contractors or subcontractors that is—

(1) manufactured by a foreign supplier, or a contractor or subcontractor of such supplier, that is closely linked to a leading cyber-threat actor; or

(2) from an entity that incorporates or utilizes information technology manufactured by a foreign supplier, or a contractor or subcontractor of such supplier, that is closely linked to a leading cyber-threat actor.

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

(c) **DEFINITIONS.**—In this section:

(1) The term “leading cyber-threat actor” means a country identified as a leading threat actor in cyberspace in the report entitled “Worldwide Threat Assessment of the US Intelligence Community”, dated February 9, 2016, and includes the People’s Republic of China, the Islamic Republic of Iran, the Democratic People’s Republic of Korea, and the Russian Federation.

(2) The term “closely linked”, with respect to a foreign supplier, contractor, or subcontractor and a leading cyber-threat actor, means the foreign supplier, contractor, or subcontractor—

(A) has ties to the military forces of such actor;

(B) has ties to the intelligence services of such actor;

(C) is the beneficiary of significant low interest or no-interest loans, loan forgiveness, or other support of such actor; or

(D) is incorporated or headquartered in the territory of such actor.

**SA 4131.** Mr. GARDNER (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1097. MODIFICATION OF LAND CONVEYANCE, ROCKY MOUNTAIN ARSENAL NATIONAL WILDLIFE REFUGE.**

Section 5(d)(1) of the Rocky Mountain Arsenal National Wildlife Refuge Act of 1992 (16 U.S.C. 668dd note; Public Law 102–402) is amended by adding at the end the following new subparagraph:

“(C)(i) Notwithstanding clause (i) of subparagraph (A), the restriction attached to any deed to any real property designated for disposal under this section that prohibits the use of the property for residential or industrial purposes may be modified or removed if it is determined, through a risk assessment performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), that the property is protective for the proposed use.

“(ii) The Secretary of the Army shall not be responsible or liable for any of the following:

“(I) The cost of any risk assessment described in clause (i) or any actions taken in response to such risk assessment.

“(II) Any damages attributable to the use of property for residential or industrial purposes as the result of the modification or removal of a deed restriction pursuant to clause (i), or the costs of any actions taken in response to such damages.”.

**SA 4132.** Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1667. SENSE OF CONGRESS ON THE BALLISTIC MISSILE THREAT OF NORTH KOREA AND THE DEPLOYMENT OF TERMINAL HIGH ALTITUDE AREA DEFENSE IN SOUTH KOREA.**

It is the sense of Congress—

(1) that the short-range, medium-range, and long-range ballistic missile programs of the Democratic People’s Republic of Korea (DPRK) represent an imminent and growing threat to the Republic of Korea (ROK), Japan, and the United States homeland;

(2) that, according to open sources, the Democratic People’s Republic of Korea currently fields an estimated 700 short-range ballistic missiles, 200 Nodong medium-range ballistic missiles, and 100 Musudan intermediate-range ballistic missiles;

(3) that, in February 2016, the United States and Republic of Korea officially began formal consultations regarding the deployment of the Terminal High Altitude Area Defense (THAAD) missile defense system to the Republic of Korea;

(4) that the Terminal High Altitude Area Defense missile defense system would effectively complement and significantly strengthen the existing missile defense capabilities of the United States on the Korean Peninsula;

(5) that the Terminal High Altitude Area Defense missile defense system is a limited defensive system that does not represent a threat to any of the neighbors of the Republic of Korea;

(6) to welcome deployment consultation talks between United States and the Republic of Korea on the Terminal High Altitude

Area Defense missile defense system and to consider the deployment of that system as a sovereign choice of the Republic of Korea Government and a bilateral decision of the alliance between the United States and the Republic of Korea to protect the citizens of the Republic of Korea against the growing ballistic missile threat from the Democratic People’s Republic of Korea and provide further protection to United States Armed Forces currently deployed to the Korean Peninsula; and

(7) to welcome joint missile defenses exercises between the United States, the Republic of Korea, and Japan against the ballistic missile threat from the Democratic People’s Republic of Korea and encourage further trilateral defense cooperation between the United States, the Republic of Korea, and Japan.

**SA 4133.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 502, insert the following:

**SEC. 502A. REDUCTION IN NUMBER OF GENERAL AND FLAG OFFICERS.**

(a) **PLAN FOR ACHIEVEMENT OF REDUCTION.**—Commencing not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall implement a plan to reduce the number of general and flag officers authorized by sections 525 and 526 of title 10, United States Code, in order to comply with sections 501 and 502 of this Act.

(b) **TIME FOR COMPLETION.**—The plan shall be implemented so as to comply with the requirements in sections 501 and 502 of this Act by not later than December 31, 2017.

(c) **ORDERLY TRANSITION.**—

(1) **IN GENERAL.**—In order to provide an orderly transition for personnel in billets to be eliminated pursuant to the plan, each general or flag officer who has not completed 24 months in a billet to be eliminated pursuant to the plan as of December 31, 2017, may remain in such billet until the last day of the month that is 24 months after the month in which such officer assumed the duties of such billet.

(2) **REPORT TO CONGRESS ON COVERED OFFICERS.**—The Secretary shall include in the annual report required by section 526(j) of title 10, United States Code, in 2017 a description of the billets in which an officer will remain pursuant to paragraph (1), including the latest date on which the officer may remain in such billet pursuant to that paragraph.

(3) **NOTICE TO CONGRESS ON DETACHMENT OF COVERED OFFICERS.**—The Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a notice on the date on which each officer covered by paragraph (1) is detached from such officer’s billet pursuant to that paragraph.

(d) **REPORTS ON PROGRESS IN IMPLEMENTATION.**—The Secretary shall include with the budget for the Department of Defense for each of fiscal year 2018 and 2019, as submitted to Congress pursuant to section 1105 of title 31, United States Code, a report describing and assessing the progress of the Department in implementing the plan and in achieving compliance with the requirements of sections 501 and 502 of this Act.

**SA 4134.** Mr. HOEVEN submitted an amendment intended to be proposed by

him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1059. AUTHORITY OF THE AIR FORCE TO CONTRACT FOR TRAINING OF AIR FORCE PERSONNEL IN PILOTING AND MAINTAINING REMOTELY PILOTED AIRCRAFT.**

(a) **AUTHORITY.**—The Secretary of the Air Force may enter into contracts with qualified entities to provide training for Air Force personnel in piloting and maintaining remotely piloted aircraft.

(b) **REPORT.**—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 setting forth the following:

(1) The number and scope of any current contracts entered into pursuant to subsection (a).

(2) A justification for the determination of the Secretary to enter or not enter, as the case may be, into contracts authorized by subsection (a), including, if the Secretary has not entered into such contracts—

(A) whether the number of remotely piloted aircraft pilots and maintenance crews of the Air Force is sufficient to meet the stated goal of 60 combat lines using such aircraft without such contracts; and

(B) a description of any legal or financial impediments to the utility of such contracts.

**SA 4135.** Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1097. REPORT ON THE INTEGRATION OF DEPARTMENT OF DEFENSE UNMANNED AIRCRAFT INTO THE NATIONAL AIRSPACE SYSTEM.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Administrator of the Federal Aviation Administration, shall submit to Congress a report on how the Department of Defense will ensure the safe integration of its unmanned aircraft with any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after such date of enactment.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) An assessment of—

(A) the potential for civilian unmanned aircraft traffic below 400 feet above sea level to affect the safety of military training routes, special use airspace, and airport terminal operating areas;

(B) the potential for civilian unmanned aircraft traffic above 400 feet above sea level, whether operating legally or illegally, to affect military training routes and special use airspace; and

(C) the technology the Department of Defense employs to provide unmanned aircraft

operators with airspace situational awareness and the degree to which that technology could enable the Department of Defense to comply with current and expected future safety requirements in the United States national airspace system.

(2) A description of—

(A) the cases in which unmanned aircraft of the Department of Defense may need to be interoperable with any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after the date of the enactment of this Act; and

(B) the efforts of the Department of Defense efforts to coordinate with the Federal Aviation Administration and the National Aeronautics and Space Administration on—

(i) research, development, testing, and evaluation of concepts, technologies, and systems required to ensure that unmanned aircraft systems of the Department of Defense meet civilian technical and safety standards; and

(ii) the development of technology and standards for any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after such date of enactment.

(3) A strategy for ensuring that the unmanned aircraft of the Department of Defense are interoperable with any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after such date of enactment.

(c) **DEFINITIONS.**—In this section, the terms “unmanned aircraft” and “unmanned aircraft system” have the meanings given those terms in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note).

**SA 4136.** Mr. HOEVEN (for himself, Mr. TENTER, Mr. DAINES, and Ms. HEITKAMP) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XVI, add the following:

**SEC. 1655. IDENTIFICATION AND CORRECTION OF CAPABILITIES SHORTFALLS WITH RESPECT TO ENSURING THE SECURITY OF UNITED STATES INTERCONTINENTAL BALLISTIC MISSILE SITES.**

(a) **IDENTIFICATION OF CAPABILITIES SHORTFALLS.**—Not later than 15 days after the date of the enactment of this Act, the Commander of the United States Strategic Command shall submit to the congressional defense committees a classified report that includes the following:

(1) A description of extant and potential threats to the security of United States intercontinental ballistic missile sites.

(2) A list of requirements for capabilities to ensure the security of all United States intercontinental ballistic missile sites.

(3) A description of capabilities shortfalls within the forces assigned, allocated, or otherwise provided to the United States Strategic Command as of the date of the report to ensure the security of all United States intercontinental ballistic missile sites.

(4) An assessment of the severity of risk associated with any shortfalls identified under paragraph (3).

(b) **CORRECTION OF CAPABILITIES SHORTFALLS.**—

(1) **IN GENERAL.**—Not later than 45 days after the date of the enactment of this Act, the Secretary of Defense shall—

(A) take action to mitigate any capabilities shortfalls identified in the report required by subsection (a);

(B) begin a process, pursuant to section 1535 of title 31, United States Code, to procure HH-60 helicopters for which contracts can be entered into by fiscal year 2018; and

(C) obtain a certification from the Commander of the United States Strategic Command that the action described in subparagraph (A) will effectively mitigate any capabilities shortfalls identified in the report required by subsection (a) until the helicopters described in subparagraph (B) can be procured and fielded.

(2) **REPORT REQUIRED.**—

(A) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the actions taken pursuant to paragraph (1).

(B) **FORM OF REPORT.**—The report required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

**SA 4137.** Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

**SEC. 221. ENHANCEMENT OF SITUATIONAL AWARENESS IN THE ARCTIC USING RQ-4 GLOBAL HAWK AIRCRAFT.**

(a) **REPORT ON USE TO ENHANCE SITUATIONAL AWARENESS.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use of RQ-4 Global Hawk aircraft to increase situational awareness in the Arctic.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) A description of the ability of the Air Force to fulfill the intelligence, surveillance, and reconnaissance requirements of the combatant commands in the Arctic

(2) An assessment of the ability of RQ-4 Global Hawk aircraft to provide capabilities necessary to meet the requirements described in paragraph (1).

(3) An assessment whether the capabilities of RQ-4 Global Hawk aircraft identified pursuant to paragraph (2) could be employed in the Arctic while the RQ-4 Global Hawk aircraft is being flown for training purposes.

(4) A description of any efforts to enable the RQ-4 Global Hawk aircraft to conduct missions in the Arctic within existing satellite communications capacity.

**SA 4138.** Mr. PETERS (for himself, Mr. DAINES, Mr. TILLIS, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel

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

After section 536, insert the following:

**SEC. 536A. TREATMENT BY DISCHARGE REVIEW BOARDS OF CLAIMS ASSERTING POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY IN CONNECTION WITH COMBAT OR SEXUAL TRAUMA AS A BASIS FOR REVIEW OF DISCHARGE.**

Section 1553(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3)(A) In addition to the requirements of paragraph (1) and (2), in the case of a former member described in subparagraph (B), the Board shall—

“(i) review medical evidence of the Secretary of Veterans Affairs or a civilian health care provider that is presented by the former member; and

“(ii) review the case with liberal consideration to the former member that post-traumatic stress disorder or traumatic brain injury potentially contributed to the circumstances resulting in the discharge of a lesser characterization.

“(B) A former member described in this subparagraph is a former member described in paragraph (1) or a former member whose application for relief is based in whole or in part on matters relating to post-traumatic stress disorder or traumatic brain injury as supporting rationale, or as justification for priority consideration, whose post-traumatic stress disorder or traumatic brain injury is related to combat or military sexual trauma, as determined by the Secretary concerned.”.

**SA 4139.** Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1665.

**SA 4140.** Mr. DAINES (for himself, Mrs. ERNST, Mr. CRUZ, Mr. MORAN, Mr. KIRK, Mr. INHOFE, Mr. GARDNER, Mr. ROBERTS, and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1031. SENSE OF SENATE ON TRANSFER TO UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, OF INDIVIDUALS CAPTURED BY THE UNITED STATES FOR SUPPORTING THE ISLAMIC STATE OF IRAQ AND THE LEVANT.**

It is the sense of the Senate that—

(1) the Islamic State of Iraq and the Levant (ISIL) has declared war on the United States;

(2) the United States Armed Forces are currently engaged in combat operations against ISIL;

(3) in conducting combat operations against ISIL, the United States has captured

and detained individuals associated with ISIL and will likely capture and hold additional ISIL detainees;

(4) following the horrific terrorist attacks on September 11, 2001, the United States determined that it would detain at United States Naval Station, Guantanamo Bay, Cuba, individuals who had engaged in, aided, or abetted, or conspired to commit, acts of international terrorism, or acts in preparation therefor, that have caused, threaten to cause, or have as their aim to cause, injury to or adverse effects on the United States, its citizens, national security, foreign policy, or economy;

(5) members of ISIL captured by the United States during combat operations against ISIL meet such criteria for continued detention at United States Naval Station, Guantanamo Bay; and

(6) all individuals captured by the United States during combat operations against ISIL that meet such criteria by their affiliation with ISIL must be detained outside the United States and its territories and should be transferred to United States Naval Station, Guantanamo Bay.

**SA 4141.** Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

**DIVISION F—DEPARTMENT OF STATE AUTHORIZATIONS**

**SEC. 6001. SHORT TITLE.**

This division may be cited as the “Department of State Authorization Act, Fiscal Year 2017”.

**SEC. 6002. DEFINITIONS.**

In this division:

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

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

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

(D) the Committee on Appropriations of the House of Representatives.

(2) **CAPITAL MASTER PLAN.**—The term “Capital Master Plan” means the capital construction project at the United Nations Headquarters in New York City for which funding was approved by the United Nations General Assembly on December 22, 2006 (A/RES/61/251).

(3) **CONSULAR AFFAIRS.**—The term “Consular Affairs” means the Bureau of Consular Affairs of the Department of State.

(4) **DEPARTMENT.**—Unless otherwise specified, the term “Department” means the Department of State.

(5) **FOREIGN SERVICE.**—The term “Foreign Service” has the meaning given the term in section 102 of the Foreign Service Act of 1980 (22 U.S.C. 3902).

(6) **GLOBAL AFFAIRS BUREAUS.**—The term “global affairs bureaus” means the following bureaus of the Department:

(A) Bureaus reporting to the Under Secretary for Economic Growth, Energy, and the Environment.

(B) Bureaus reporting to the Under Secretary for Arms Control and International Security.

(C) Bureaus reporting to the Under Secretary for Public Diplomacy and Public Affairs.

(D) Bureaus reporting to the Under Secretary for Civilian Security, Democracy, and Human Rights.

(E) The Bureau of International Organization Affairs.

(7) **GLOBAL AFFAIRS POSITION.**—The term “global affairs position” means any position funded with amounts appropriated to the Department under the heading “Diplomatic Policy and Support”.

(8) **INSPECTOR GENERAL.**—Unless otherwise specified, the term “Inspector General” means the Office of Inspector General of the Department of State.

(9) **PEACEKEEPING ABUSE COUNTRY OF CONCERN.**—The term “peacekeeping abuse country of concern” means a country so designated by the Secretary pursuant to section 6102(a).

(10) **PEACEKEEPING CREDITS.**—The term “peacekeeping credits” means the amounts by which United States assessed peacekeeping contributions exceed actual expenditures, apportioned to the United States, of peacekeeping operations by the United Nations during a United Nations peacekeeping fiscal year.

(11) **SECRETARY.**—Unless otherwise specified, the term “Secretary” means the Secretary of State.

(12) **STRATEGIC HERITAGE PLAN.**—The term “Strategic Heritage Plan” means the capital construction project at the United Nations’ Palais des Nations building complex in Geneva, Switzerland, as discussed in the Secretary-General’s “Second annual progress report on the strategic heritage plan of the United Nations Office at Geneva” (A/70/394), which was published on September 25, 2015.

**TITLE LXXI—INTERNATIONAL ORGANIZATIONS**

**SEC. 6101. OVERSIGHT OF AND ACCOUNTABILITY FOR PEACEKEEPER ABUSES.**

(a) **STRATEGY TO ENSURE REFORM AND ACCOUNTABILITY.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit, in unclassified form, to the appropriate congressional committees—

(1) a United States strategy for combating sexual exploitation and abuse in United Nations peacekeeping operations; and

(2) an implementation plan for achieving the objectives set forth in the strategy described in paragraph (1).

(b) **ELEMENTS.**—The strategy required under subsection (a) shall include the following elements and objectives:

(1) The United States shall use its vote and influence at the United Nations to seek—

(A) the establishment of onsite courts-martial, as appropriate, for the prosecution of crimes committed by peacekeeping personnel, which is consistent with each peacekeeping mission’s status of forces agreement with its host country;

(B) the creation of a United Nations Security Council ombudsman office that—

(i) is authorized to conduct ongoing oversight of peacekeeping operations;

(ii) reports directly to the Security Council on—

(I) offenses committed by peacekeeping personnel or United Nations civilian staff or volunteers; and

(II) the actions taken in response to such offenses; and

(iii) provides reports to the Security Council on the conduct of personnel in each peacekeeping operation not less frequently than annually and before the expiration or renewal of the mandate of any such peacekeeping operation;



(C) guidance from the United Nations on the establishment of a standing claims commission for each peacekeeping operation—

(i) to address any grievances by a host country's civilian population against United Nations personnel in cases of alleged abuses by peacekeeping personnel; and

(ii) to provide means for the government of the country of which culpable United Nations peacekeeping or civilian personnel are nationals to compensate the victims of such crimes;

(D) the adoption of a United Nations policy that—

(i) establishes benchmarks for the identification of sexual exploitation or abuse; and  
(ii) ensures proper training of peacekeeping personnel (including officers and senior civilian personnel) in recognizing and avoiding such offenses;

(E) the adoption of a United Nations policy that bars troop- or police-contributing countries that fail to fulfill their obligation to ensure good order and discipline among their troops from providing any further troops for peace operations or restricts peacekeeper reimbursements to such countries until training, institutional reform, and oversight mechanisms have been put in place that are adequate to prevent such problems from re-occurring; and

(F) appropriate risk reduction policies, including refusal by the United Nations to deploy uniformed personnel from any troop- or police-contributing country that does not adequately—

(i) investigate allegations of sexual exploitation or abuse involving nationals of such country; and

(ii) ensure justice for the personnel determined to be responsible for such sexual exploitation or abuse.

(2) The United States shall deny further United States peacekeeper training or related assistance, except for training specifically designed to reduce the incidence of sexual exploitation or abuse, or to assist in its identification or prosecution, to any troop- or police-contributing country that does not—

(A) implement and maintain effective measures to improve such country's ability to monitor for sexual exploitation and abuse offenses committed by peacekeeping personnel who are nationals of such country;

(B) adequately respond to allegations of such offenses by carrying out effective disciplinary action against the personnel determined to be responsible for such offenses; and

(C) provide detailed reporting to the ombudsman described in paragraph (1)(B) (or other appropriate United Nations official) that describes the offenses committed by its nationals and its responses to such offenses.

(3) The United States shall develop support mechanisms to assist troop- or police-contributing countries—

(A) to improve their capacity to investigate allegations of sexual exploitation and abuse offenses committed by their nationals while participating in a United Nations peacekeeping operation; and

(B) to appropriately hold accountable any individual who commits an act of sexual exploitation or abuse.

(4) In coordination with the ombudsman described in paragraph (1)(B) (or other appropriate United Nations official), the Secretary shall identify, in the Department's annual country reports on human rights practices, the countries of origin of any peacekeeping personnel or units that—

(A) are characterized by patterns of sexual exploitation or abuse; or

(B) have failed to institute appropriate institutional and procedural reforms after being made aware of any such patterns.

(c) **OPTIONAL DNA SAMPLING.**—The United States may encourage a troop- or police-contributing country—

(1) to develop its own system to obtain and maintain DNA samples, consistent with the laws of such country, from each national of such country who is a member of a United Nations military contingent or formed police unit; and

(2) to make the DNA samples referred to in paragraph (1) available to such country's investigators if there is a credible allegation of sexual exploitation or abuse involving nationals described in paragraph (1).

(d) **SENSE OF CONGRESS.**—It is the sense of Congress that none of the DNA samples contained in the Armed Forces Repository of Specimen Samples for the Identification of Remains should be shared with the United Nations, a United Nations specialized agency, or a United Nations affiliated organization.

#### **SEC. 6102. DESIGNATION AND REPORTING.**

(a) **DESIGNATION OF COUNTRIES WITH RECORDS OF PEACEKEEPING ABUSE.**—If credible information indicates that personnel from any United Nations peacekeeping troop- or police-contributing country have engaged in sexual exploitation or abuse and credible allegations of such misconduct indicate a pattern of sexual exploitation or abuse, the Secretary shall—

(1) designate the country in question as a "peacekeeping abuse country of concern"; and

(2) promptly notify the country in question of its designation under this subsection.

(b) **DURATION.**—A designation under subsection (a)(1) shall remain in effect until the Secretary determines that—

(1) the pattern of sexual exploitation or abuse that led to such designation has ceased; and

(2) the country in question has taken appropriate steps—

(A) to prevent acts of sexual exploitation or abuse in the future; and

(B) to bring to justice the perpetrators of any such sexual exploitation or abuse.

(c) **PUBLIC LIST.**—The Secretary shall maintain a publicly-accessible list of all countries that are designated as a peacekeeping abuse country of concern.

(d) **INFORMATION.**—The Secretary shall promptly inform the appropriate congressional committees whenever the Secretary—

(1) designates a country as a peacekeeping abuse country of concern; or

(2) determines that a country no longer qualifies as a peacekeeping abuse country of concern as a result of meeting the criteria set forth in subsection (b).

(e) **CREDIBLE INFORMATION.**—In assessing whether credible information indicates a pattern of sexual exploitation or abuse, the Secretary should consider all credible information, including—

(1) the contents of the annual United Nations Secretary General's Bulletin entitled "Special measures for protection from sexual exploitation and sexual abuse";

(2) classified and unclassified information residing in Federal Government databases or other relevant records;

(3) open-source records, including media accounts and information available on the Internet;

(4) information available from international organizations, foreign governments, and civil society organizations; and

(5) information obtained directly from victims or their advocates.

#### **SEC. 6103. WITHHOLDING OF ASSISTANCE.**

(a) **STATEMENT OF UNITED STATES POLICY.**—It is the policy of the United States that assistance to security forces should not be provided to any unit of the security forces of a

foreign country that has engaged in a gross violation of human rights or in acts of sexual exploitation or abuse, including while serving in a United Nations peacekeeping operation.

(b) **CLARIFICATION.**—A gross violation of human rights referred to in section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) shall include any gross violation of human rights committed by a unit serving in a United Nations peacekeeping operation.

(c) **WITHHOLDING OF ASSISTANCE.**—The Secretary is authorized—

(1) to withhold any or all of the assistance to security forces described in subsection (d) from any unit of the security forces of a foreign country for which the Secretary has determined that credible information exists that the unit has engaged in acts of sexual exploitation or abuse, including while serving on a United Nations peacekeeping operation; and

(2) to continue to withhold such assistance until effective steps have been taken—

(A) to investigate, identify, and punish such exploitation or abuse; and

(B) to prevent similar incidents from occurring in the future.

(d) **ASSISTANCE SPECIFIED.**—The assistance to security forces described in this subsection is the assistance authorized under—

(1) sections 481, 516, 524, and 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291, 2321j, 2344, and 2347);

(2) chapter 6 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2348 et seq.); and

(3) section 23 of the Arms Export Control Act (22 U.S.C. 2763).

(e) **ALLOCATION OF WITHHELD FUNDS.**—If funding is withheld under subsection (c) or a country has been designated as a "peacekeeping abuse country of concern" under section 6102(a)(1), the President may make such funds available to assist the foreign government to strengthen civilian and military mechanisms of accountability to bring the responsible members of the security forces to justice and to prevent future incidents provided that a notification is submitted to Congress in accordance with the procedures applicable to reprogramming notifications under section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706).

(f) **NOTIFICATION.**—If the Secretary withholds assistance to security forces from a unit of the security forces of a foreign country pursuant to subsection (c), the Secretary shall—

(1) promptly notify the government of such country that such unit is ineligible for certain military assistance from the United States; and

(2) provide written notification of such withholding to the appropriate congressional committees not later than 10 days after the Secretary has determined to withhold such assistance or sales from such unit.

#### **SEC. 6104. REPORT ON FEDERAL GOVERNMENT CONTRIBUTIONS TO THE UNITED NATIONS.**

(a) **IN GENERAL.**—Section 4(c)(1) of the United Nations Participation Act of 1945 (22 U.S.C. 287b(c)) is amended—

(1) by amending subparagraph (A) to read as follows:

"(A) A description of all assistance from the United States to the United Nations to support peacekeeping operations that—

"(i) was provided during the previous calendar year;

"(ii) is expected to be provided during the current fiscal year; or

"(iii) is included in the annual budget request to Congress for the budget year.";

(2) by amending subparagraph (D) to read as follows:

“(D) For assessed or voluntary contributions described in subparagraph (B)(iii) or (C)(iii) that exceed \$100,000 in value, including in-kind contributions—

“(i) the total amount or estimated value of all such contributions to the United Nations and to each of its affiliated agencies and related bodies;

“(ii) the nature and estimated total value of all in-kind contributions in support of United Nations peacekeeping operations and other international peacekeeping operations, including—

“(I) logistics;

“(II) airlift;

“(III) arms and materiel;

“(IV) nonmilitary technology and equipment;

“(V) personnel; and

“(VI) training;

“(iii) the approximate percentage of all such contributions to the United Nations and to each such agency or body when compared with all contributions to the United Nations and to each such agency or body from any source; and

“(iv) for each such United States Government contribution to the United Nations and to each such agency or body—

“(I) the amount or value of the contribution;

“(II) a description of the contribution, including whether it is an assessed or voluntary contribution;

“(III) the purpose of the contribution;

“(IV) the department or agency of the United States Government responsible for the contribution; and

“(V) the United Nations or United Nations affiliated agency or related body that received the contribution.”; and

(3) by adding at the end the following:

“(E) The report required under this subsection shall be submitted in unclassified form, but may include a classified annex.”.

(b) **PUBLIC AVAILABILITY OF INFORMATION.**—Not later than 14 days after submitting each report under section 4(c) of the United Nations Participation Act of 1945 (22 U.S.C. 287b(c)), the Director of the Office of Management and Budget shall post a text-based, searchable version of any unclassified information described in paragraph (1)(D) of such section on a publicly available website.

**SEC. 6105. REIMBURSEMENT OR APPLICATION OF CREDITS.**

Notwithstanding any other provision of law, the President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to seek and timely obtain a commitment from the United Nations to make available to the United States any peacekeeping credits that are generated from a closed peacekeeping operation.

**SEC. 6106. REIMBURSEMENT OF CONTRIBUTING COUNTRIES.**

It is the policy of the United States that—

(1) the present formula for determining the troop reimbursement rate paid to troop- and police-contributing countries for United Nations peacekeeping should be clearly explained and made available to the public on the United Nations Department of Peacekeeping Operations website;

(2) regular audits of the nationally-determined pay and benefits given to personnel from troop- and police-contributing countries participating in United Nations peacekeeping operations should be conducted to help inform the reimbursement rate; and

(3) the survey mechanism developed by the United Nations Secretary-General's Senior Advisory Group on Peacekeeping Operations for collecting troop- and police-contributing country data on common and extraordinary

expenses associated with deploying personnel to peacekeeping missions should be coordinated with the audits described in paragraph (2) to ensure proper oversight and accountability.

**SEC. 6107. UNITED NATIONS PEACEKEEPING ASSESSMENT FORMULA.**

(a) **INDEPENDENT ASSESSMENT.**—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study of the formula and methods by which the United Nations assesses member states for financial support to peacekeeping operations to determine an appropriate standard by which the United Nations should assess such member states in proportion to their capacity to contribute financially to such operations; and

(2) submit the results of the study conducted under paragraph (1) to the appropriate congressional committees.

(b) **ELEMENTS.**—The study required under subsection (a) shall include—

(1) an explanation and analysis of the formula and methods used by the United Nations to determine the peacekeeping assessments for each member state, including—

(A) whether it is appropriate to use per capita gross domestic product as the method of calculation for determining a member country's capacity to contribute;

(B) whether, and to what degree, member countries should qualify for discounts through the United Nations regular budget, the peacekeeping budget, or both; and

(C) a survey and analysis of various methods of calculating capacity to contribute including—

(i) the relative share of quota subscription and voting shares at international financial institutions such as the World Bank Group and the International Monetary Fund;

(ii) the size and nature of the country's reserves, including the size and composition of its other external assets; and

(iii) whether the country runs large and prolonged current account surpluses; and

(2) recommendations, based on the analysis conducted under paragraph (1), for improving the formula used by the United Nations to determine the peacekeeping assessments for each member state to better reflect each state's capacity to contribute and appropriate burden-sharing among member states.

**SEC. 6108. STRATEGIC HERITAGE PLAN.**

(a) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, and every 2 years thereafter until the Strategic Heritage Plan is complete, the Comptroller General of the United States shall submit a report to the appropriate congressional committees on the Strategic Heritage Plan that includes—

(1) an update on the status of the project's budget and schedule, including any changes to scope, total project cost, or schedule;

(2) an update on financing plans for the project, including the amount contributed by each member state; and

(3) an assessment of the United Nations' management of the project, including whether lessons learned during the implementation of the Capital Master Plan are used to develop documented guidance for the Strategic Heritage Plan.

(b) **AUTHORIZATION.**—Not later than 30 days before the adoption of a budget for the Strategic Heritage Plan by the United Nations General Assembly, the Secretary shall certify to the appropriate congressional committees whether—

(1) the United Nations has updated its policies and procedures for capital projects to incorporate lessons learned from the Capital Master Plan;

(2) the Department—

(A) has conducted a cost-benefit analysis of the United Nations financing options for the Strategic Heritage Plan, including the possibility of special assessments on member states and a long-term loan from the Government of Switzerland; and

(B) has determined which option is most financially advantageous for the United States; and

(3) the United Nations has reviewed viable options for securing alternative financing to offset the total project cost.

**SEC. 6109. WHISTLEBLOWER PROTECTIONS.**

(a) **CERTIFICATION OF WHISTLEBLOWER PROTECTIONS.**—Not more than 85 percent of the annual contributions by the United States to the United Nations (including contributions to the Department of Peacekeeping Operations) for any United Nations agency, or for the Organization of American States, may be obligated for such organization, department, or agency until the Secretary certifies to the appropriate congressional committees that the organization, department, or agency receiving such contributions is—

(1) posting on a publicly available website, consistent with applicable privacy regulations and due process, regular financial and programmatic audits of such organization, department, or agency;

(2) providing the United States Government with necessary access to the financial and performance audits described in paragraph (1); and

(3) effectively implementing and enforcing policies and procedures that reflect best practices for the protection of whistleblowers from retaliation, including—

(A) protection against retaliation for internal and lawful public disclosures;

(B) the establishment of appropriate legal burdens of proof in disciplinary or other actions taken against employees and the maintenance of due process protections for such employees;

(C) the establishment of clear statutes of limitation for reporting retaliation against whistleblowers;

(D) appropriate access to independent adjudicative bodies, including external arbitration; and

(E) prompt disciplinary action, as appropriate, against any officials who have engaged in retaliation against whistleblowers.

(b) **RELEASE OF WITHHELD CONTRIBUTIONS.**—The Secretary may obligate the remaining 15 percent of the applicable United States contributions to an organization, department, or agency subject to the certification requirement described in subsection (a) after the Secretary submits such certification to the appropriate congressional committees.

(c) **WAIVER.**—

(1) **IN GENERAL.**—The Secretary may waive the requirements under subsection (a) with respect to a particular agency, organization, or department, if the Secretary determines and reports to the appropriate congressional committees that such a waiver is necessary for the particular agency, organization, or department to avert or respond to a humanitarian crisis.

(2) **RENEWAL.**—A waiver under paragraph (1) may be renewed if the Secretary determines and reports to the appropriate congressional committees that such waiver remains necessary for that particular agency, organization, or department to avert or respond to a humanitarian crisis.

**SEC. 6110. UNITED NATIONS HUMAN RIGHTS COUNCIL.**

(a) **FUNDING PROHIBITION.**—No funding from the United States Government may be made available to support the United Nations Human Rights Council until after the Secretary certifies to the appropriate congressional committees that—

(1) participation in the United Nations Human Rights Council is in the national interest of the United States; and

(2) the United Nations Human Rights Council is taking steps to remove “Human rights situation in Palestine and other occupied Arab territories” and any other specific item targeted at Israel as permanent items on the United Nations Human Rights Council’s agenda.

(b) REQUIREMENT.—The certification under subsection (a) shall include—

(1) an explanation of the reasoning behind the certification; and

(2) the steps that have been taken to remove “Human rights situation in Palestine and other occupied Arab territories” and any other specific item targeted at Israel as permanent agenda items.

(c) ADDITIONAL INFORMATION.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit a report to the appropriate congressional committees that describes—

(1) the resolutions that were considered in the United Nations Human Rights Council during the previous 12 months; and

(2) steps that have been taken during that 12-month period to remove “Human rights situation in Palestine and other occupied Arab territories” and any other specific item targeted at Israel as permanent agenda items for the United Nations Human Rights Council.

(d) WAIVER.—The Secretary may waive the restrictions imposed under subsection (a), on an annual basis, if the Secretary—

(1) determines that such a waiver is in the foreign policy or national security interests of the United States; and

(2) submits a written explanation to the appropriate congressional committees of the reasoning behind such determination.

(e) TERMINATION.—The funding limitation under subsection (a) shall terminate after the Secretary certifies pursuant to that subsection that “Human rights situation in Palestine and other occupied Arab territories” and any other specific item targeted at Israel have been removed as permanent items on the United Nations Human Rights Council’s agenda.

#### SEC. 6111. COMPARATIVE REPORT ON PEACEKEEPING OPERATIONS.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the appropriate congressional committees on the costs, strengths, and limitations of United States and United Nations peacekeeping operations, which shall include—

(1) a comparison of the costs of current United Nations peacekeeping missions and the estimated cost of comparable United States peacekeeping operations; and

(2) an analysis of the strengths and limitations of—

(A) a peacekeeping operation led by the United States; and

(B) a peacekeeping operation led by the United Nations.

#### SEC. 6112. ADDRESSING MISCONDUCT IN UNITED NATIONS PEACEKEEPING MISSIONS.

(a) REFORMS.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations—

(1) to seek to alter the model memorandum of understanding for troop-contributing countries participating in United Nations peacekeeping missions to strengthen accountability measures related to the investigation, prosecution, and discipline of their troops in cases of misconduct;

(2) to seek to ensure that for each United Nations peacekeeping mission mandate renewal that is approved and for any new peacekeeping mission, the memorandum of understanding with the troop-contributing countries contains strong provisions that ensure an investigation and response to allegations of sexual exploitation and abuse offenses and the execution of swift and effective disciplinary action against personnel found to have committed the offenses is taken; and

(3) to seek to require the immediate repatriation of a particular military unit or formed police unit of a troop- or police-contributing country in a United Nations peacekeeping operation when there is credible information of widespread or systemic sexual exploitation or abuse by that unit and to prevent the deployment of that particular unit in a peacekeeping capacity until demonstrable progress has been made to prevent similar offenses from occurring in the future, to strengthen command and control, and to investigate and hold accountable those found guilty of sexual exploitation or abuse.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a report with recommendations for changing the model memorandum of understanding for troop-contributing countries participating in United Nations peacekeeping missions that strengthen accountability measures and prevent sexual exploitation and abuse by United Nations personnel.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A plan to ensure the recommendations described in such paragraph are incorporated into the model memorandum of understanding.

(B) Specific recommendation on ways to track the progress and process by which a troop-contributing country investigates, prosecutes, and holds personnel accountable for misconduct.

#### SEC. 6113. WHISTLEBLOWER PROTECTIONS FOR UNITED NATIONS PERSONNEL.

The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations—

(1) to call for the removal of any official at the United Nations whom the Department of State determines has failed to uphold the highest standards of ethics and integrity established by the United Nations, and whose conduct, with respect to preventing sexual exploitation and abuse by United Nations peacekeepers, has resulted in the erosion of public confidence in the United Nations;

(2) to ensure that effective whistleblower protections are extended to United Nations peacekeepers, United Nations police officers, United Nations staff, contractors, and victims of misconduct involving United Nations personnel; and

(3) to ensure that the United Nations establishes and implements effective protection measures for whistleblowers who report significant allegations of wrongdoing by United Nations officials.

#### TITLE LXXII—PERSONNEL AND ORGANIZATIONAL ISSUES

##### SEC. 6201. MARKET DATA FOR COST-OF-LIVING ADJUSTMENTS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that examines the feasibility and cost effectiveness of

using private sector market data to determine cost of living adjustments for foreign service officers and Federal Government civilians who are stationed abroad.

(b) CONTENT.—The report required under subsection (a) shall include—

(1) a list of at least 4 private sector providers of international cost-of-living data that the Secretary determines are qualified to provide such data;

(2) a list of cities in which the Department maintains diplomatic posts for which private sector cost-of-living data is not available;

(3) a comparison of—

(A) the cost of purchasing cost-of-living data from each provider listed in paragraph (1); and

(B) the cost (including Department labor costs) of producing such rates internally; and

(4) for countries in which the Department provides a cost-of-living allowance greater than zero and the World Bank estimates that the national price level of the country is less than the national price level of the United States, a comparison of cost-of-living allowances, excluding housing costs, of the private sector providers referred to in paragraph (1) to rates constructed by the Department’s Office of Allowances.

(c) WAIVER.—If the Secretary determines that compliance with subsection (b)(4) at a particular location is cost-prohibitive, the Secretary may waive the requirement under subsection (b)(4) for that location if the Secretary submits written notice and an explanation of the reasons for the waiver to the appropriate congressional committees.

##### SEC. 6202. OVERSEAS HOUSING.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the appropriate congressional committees that analyzes and compares—

(1) overseas housing policies and rates for civilians, as set by the Department; and

(2) overseas housing policies and rates for military personnel, as set by the Department of Defense.

(b) CONTENT.—The report required under subsection (a) shall include—

(1) a comparison of overseas housing policies, pertaining to the size and quality of government-provided housing and the rates for individually leased housing, for Federal Government civilians and military personnel;

(2) a comparison of rates for individually leased overseas housing for civilians and military personnel by comparable rank and family size;

(3) an analysis of any factors specific to the civilian population or military population that warrant separate housing policies and rates;

(4) a recommendation on the feasibility and cost-effectiveness of consolidating civilian and military policies and rates for individually-leased housing into a single approach for all United States personnel who are stationed overseas; and

(5) additional policy recommendations based on the Comptroller General’s analysis.

##### SEC. 6203. LOCALLY-EMPLOYED STAFF WAGES.

(a) MARKET-RESPONSIVE STAFF WAGES.—Not later than 180 days after the date of enactment of this Act, and periodically thereafter, the Secretary shall establish and implement a prevailing wage rates goal for positions in the local compensation plan, as described in section 408 of the Foreign Service Act of 1980 (22 U.S.C. 3968), at each diplomatic post that—

(1) is based on the specific recruiting and retention needs of the post and local labor market conditions, as determined annually; and

(2) is not less than the 50th percentile of the prevailing wage for comparable employment in the labor market surrounding the post.

(b) EXCEPTION.—The prevailing wage rate goal established under subsection (a) may differ from the requirements under such subsection if required by law in the locality of employment.

(c) RECORDKEEPING REQUIREMENT.—The analytical assumptions underlying the calculation of wage levels at each diplomatic post under subsection (a), and the data upon which such calculation is based—

(1) shall be filed electronically and retained for not less than 5 years; and

(2) shall be made available to the appropriate congressional committees upon request.

**SEC. 6204. EXPANSION OF CIVIL SERVICE OPPORTUNITIES.**

It is the sense of Congress that the Department should—

(1) expand the Overseas Development Program from 20 positions to not fewer than 40 positions within 1 year after the date of the enactment of this Act;

(2) analyze the costs and benefits of expanding the Overseas Development Program; and

(3) expand the Overseas Development Program to more than 40 positions if the benefits identified in paragraph (2) outweigh the costs identified in such paragraph.

**SEC. 6205. PROMOTION TO THE SENIOR FOREIGN SERVICE.**

Section 601(c) of the Foreign Service Act of 1980 (22 U.S.C. 4001(c)) is amended by adding at the end the following:

“(6)(A) The promotion of any individual joining the Service on or after January 1, 2017, to the Senior Foreign Service shall be contingent upon the individual completing at least 1 tour in—

“(i) a global affairs bureau; or

“(ii) a global affairs position.

“(B) In this paragraph:

“(i) The term ‘global affairs bureaus’ means the following bureaus of the Department:

“(I) Bureaus reporting to the Under Secretary for Economic Growth, Energy, and Environment.

“(II) Bureaus reporting to the Under Secretary for Arms Control and International Security.

“(III) Bureaus reporting to the Under Secretary for Public Diplomacy and Public Affairs.

“(IV) Bureaus reporting to the Under Secretary for Civilian, Security, Democracy, and Human Rights.

“(V) The Bureau of International Organization Affairs.

“(ii) The term ‘global affairs position’ means any position funded with amounts appropriated to the Department of State under the heading ‘Diplomatic Policy and Support’.

“(C) The requirements under subparagraph (A) shall not apply if the Secretary of State certifies that the individual proposed for promotion to the Senior Foreign Service—

“(i) has met all other requirements applicable to such promotion; and

“(ii) was unable to complete a tour in a global affairs bureau or global affairs position because there was not a reasonable opportunity for the individual to be assigned to such a posting.”

**SEC. 6206. LATERAL ENTRY INTO THE FOREIGN SERVICE.**

(a) POLICY OF THE UNITED STATES.—It is the policy of the United States to maximize the ability of the Foreign Service to draw upon the talents of the American people to most effectively promote the foreign policy interests of the United States.

(b) FINDING.—Congress finds that—

(1) the Foreign Service practice of grooming generalists for careers in the Foreign Service, starting with junior level directed assignments, is effective for most officers; and

(2) the practice described in paragraph (1) precludes the recruitment of many patriotic, highly-skilled, talented, and experienced mid-career professionals who wish to join public service and contribute to the work of the Foreign Service, but are not in a position to restart their careers as entry-level government employees.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the Foreign Service should permit mid-career entry into the Foreign Service for qualified individuals who are willing to bring their outstanding talents and experiences to the work of the Foreign Service.

(d) PILOT PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a 3-year pilot program for lateral entry into the Foreign Service that—

(1) targets mid-career individuals from the civil service and private sector who have skills and experience that would be extremely valuable to the Foreign Service;

(2) is in full comportment with current Foreign Service intake procedures, including the requirement to pass the Foreign Service exam;

(3) offers participants in the pilot program placement in the Foreign Service at a grade level higher than FS-4 if such placement is warranted by their education and qualifying experience;

(4) requires only 1 directed assignment in a position appropriate to the pilot program participant’s grade level;

(5) includes, as part of the required initial training, a class or module that specifically prepares participants in the pilot program for life in the Foreign Service, including conveying to them essential elements of the practical knowledge that is normally acquired during a Foreign Service officer’s initial assignments; and

(6) includes an annual assessment of the progress of the pilot program by a review board consisting of Department officials with appropriate expertise, including employees of the Foreign Service, in order to evaluate the pilot program’s success and direction in advancing the policy set forth in subsection (a) in light of the findings set forth in subsection (b).

(e) ANNUAL REPORTING.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for the duration of the pilot program, the Secretary shall submit a report to the appropriate congressional committees that describes—

(1) the cumulative number of accepted and unaccepted applicants to the pilot program established under subsection (d);

(2) the cumulative number of pilot program participants placed into each Foreign Service cone;

(3) the grade level at which each pilot program participant entered the Foreign Service;

(4) information about the first assignment to which each pilot program participant was directed;

(5) the structure and operation of the pilot program, including—

(A) the operation of the pilot program to date; and

(B) any observations and lessons learned about the pilot program that the Secretary considers relevant.

(f) LONGITUDINAL DATA.—The Secretary shall—

(1) collect and maintain data on the career progression of each pilot program partici-

part for the length of the participant’s Foreign Service career; and

(2) make the data described in paragraph (1) available to the appropriate congressional committees upon request.

**SEC. 6207. REEMPLOYMENT OF ANNUITANTS.**

(a) WAIVER OF ANNUITY LIMITATIONS.—Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) is amended—

(1) in paragraph (1)(B), by striking “to facilitate the” and all that follows through “Afghanistan.”;

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

(b) REPEAL OF SUNSET PROVISION.—Section 61(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2733(a)) is amended to read as follows:

“(a) AUTHORITY.—The Secretary of State may waive the application of section 8344 or 8468 of title 5, United States Code, on a case-by-case basis, for employment of an annuitant in a position in the Department of State for which there is exceptional difficulty in recruiting or retaining a qualified employee, or when a temporary emergency hiring need exists.”

**SEC. 6208. CODIFICATION OF ENHANCED CONSULAR IMMUNITIES.**

Section 4 of the Diplomatic Relations Act (22 U.S.C. 254c) is amended—

(1) by striking “The President” and inserting the following:

“(a) IN GENERAL.—The President”; and

(2) by adding at the end the following:

“(b) CONSULAR IMMUNITY.—

“(1) IN GENERAL.—The Secretary of State, with the concurrence of the Attorney General, may, on the basis of reciprocity and under such terms and conditions as the Secretary may determine, specify privileges and immunities for a consular post, the members of a consular post, and their families which result in more favorable or less favorable treatment than is provided in the Vienna Convention.

“(2) CONSULTATION.—Before exercising the authority under paragraph (1), the Secretary shall consult with the appropriate congressional committees on the circumstances that may warrant the need for privileges and immunities providing more favorable or less favorable treatment than is provided in the Vienna Convention.”

**SEC. 6209. ACCOUNTABILITY REVIEW BOARD RECOMMENDATIONS RELATED TO UNSATISFACTORY LEADERSHIP.**

Section 304(c) of the Diplomatic Security Act (22 U.S.C. 4834(c)) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively;

(2) by striking “Whenever” and inserting the following:

“(1) BREACH OF DUTY.—Whenever”; and

(3) by striking “In determining” and inserting the following:

“(2) FACTORS.—In determining”; and

(4) by adding at the end the following:

“(3) UNSATISFACTORY LEADERSHIP.—

“(A) GROUNDS FOR DISCIPLINARY ACTION.—Unsatisfactory leadership by a senior official with respect to a security incident involving loss of life, serious injury or significant destruction of property at or related to a United States Government mission abroad may be grounds for disciplinary action.

“(B) RECOMMENDATION.—If a Board finds reasonable cause to believe that a senior official provided unsatisfactory leadership (as described in subparagraph (A)), the Board may recommend disciplinary action subject to the procedures set forth in paragraphs (1) and (2).”

**SEC. 6210. PERSONAL SERVICES CONTRACTORS.**

(a) IN GENERAL.—Subject to subsections (b) and (c), the Secretary may establish a pilot

program (referred to in this section as the "Program") for hiring United States citizens or aliens as personal services contractors. Personal services contractors hired under this section may provide services in the United States and outside of the United States to respond to new or emerging needs or to augment existing services.

(b) **CONDITIONS.**—The Secretary may hire personal services contractors under the Program if—

(1) the Secretary determines that existing personnel resources are insufficient;

(2) the period in which services are provided by a personal services contractor under the Program, including options, does not exceed 2 years, unless the Secretary determines that exceptional circumstances justify an extension of up to 1 additional year;

(3) not more than 200 United States citizens or aliens are employed as personal services contractors under the Program at any time; and

(4) the Program is only used to obtain specialized skills or experience or to respond to urgent needs.

(c) **STATUS OF PERSONAL SERVICE CONTRACTORS.**—

(1) **NOT A GOVERNMENT EMPLOYEE.**—Subject to paragraph (2), an individual hired as a personal services contractor under the Program shall not, by virtue of such hiring, be considered to be an employee of the United States Government for purposes of any law administered by the Office of Personnel Management.

(2) **APPLICABLE LAW.**—An individual hired as a personal services contractor pursuant to this section shall be covered, in the same manner as a similarly-situated employee, by—

(A) the Ethics in Government Act of 1978 (5 U.S.C. App.);

(B) chapter 73 of title 5, United States Code;

(C) sections 201, 203, 205, 207, 208, and 209 of title 18, United States Code;

(D) section 1346 and chapter 171 of title 28, United States Code; and

(E) chapter 21 of title 41, United States Code.

(3) **SAVINGS PROVISION.**—Except as provided in paragraphs (1) and (2), nothing in this section may be construed to affect the determination of whether an individual hired as a personal services contractor under the Program is an employee of the United States Government for purposes of any Federal law.

(d) **TERMINATION OF AUTHORITY.**—

(1) **IN GENERAL.**—The authority to award personal services contracts under the Program shall terminate on September 30, 2019.

(2) **EFFECT ON EXISTING CONTRACTS.**—A contract entered into before the termination date set forth in paragraph (1) may remain in effect until the date on which it is scheduled to expire under the terms of the contract.

**SEC. 6211. TECHNICAL AMENDMENT TO FEDERAL WORKFORCE FLEXIBILITY ACT.**

Chapter 57 of title 5, United States Code, is amended—

(1) in section 5753(a)(2)(A), by inserting “, excluding members of the Foreign Service other than chiefs of mission and ambassadors at large” before the semicolon at the end; and

(2) in section 5754(a)(2)(A), by inserting “, excluding members of the Foreign Service other than chiefs of mission and ambassadors at large” before the semicolon at the end.

**SEC. 6212. TRAINING SUPPORT SERVICES.**

Section 704(a)(4)(B) of the Foreign Service Act of 1980 (22 U.S.C. 4024(a)(4)(B)) is amended by striking “language instructors, linguists, and other academic and training specialists” and inserting “education and train-

ing specialists, including language instructors and linguists, and other specialists who perform work directly relating to the design, delivery, oversight, or coordination of training delivered by the institution”.

**SEC. 6213. LIMITED APPOINTMENTS IN THE FOREIGN SERVICE.**

Section 309 of the Foreign Service Act (22 U.S.C. 3949), is amended—

(1) in subsection (a) by striking “subsection (b)” and inserting “subsections (b) and (c)”;

(2) in subsection (b)—

(A) in paragraph (3)—

(i) by striking “if continued service” and inserting the following: “if—

“(A) continued service”; and

(B) by adding at the end the following: “or “(B) the individual is serving in the uniformed services (as defined in section 4303 of title 38, United States Code) and the limited appointment expires in the course of such service”;

(C) in paragraph (4), by striking “and” at the end;

(D) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

“(6) in exceptional circumstances if the Secretary determines the needs of the Service require the extension of—

“(A) a limited noncareer appointment for a period not to exceed 1 year; or

“(B) a limited appointment of a career candidate for the minimum time needed to resolve a grievance, claim, investigation, or complaint not otherwise provided for in this section.”; and

(3) by adding at the end the following:

“(c)(1) Noncareer employees who have served for 5 consecutive years under a limited appointment may be reappointed to a subsequent noncareer limited appointment if there is at least a 1-year break in service before such new appointment.

“(2) The Secretary may waive the 1-year break requirement under paragraph (1) in cases of special need.”.

**SEC. 6214. HOME LEAVE AMENDMENT.**

(a) **LENGTH OF CONTINUOUS SERVICE ABROAD.**—Section 903(a) of the Foreign Service Act of 1980 (22 U.S.C. 4083) is amended by inserting “(or after a shorter period of such service if the member’s assignment is terminated for the convenience of the Service)” after “12 months of continuous service abroad”.

(b) **REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that recounts the number of instances during the 3-year period ending on such date of enactment that the Foreign Service permitted home leave for a member after fewer than 12 months of continuous service abroad.

**SEC. 6215. FOREIGN SERVICE WORKFORCE STUDY.**

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees that contains the results of a study on workforce issues and challenges to career opportunities pertaining to tandem couples in the Foreign Service.

**SEC. 6216. REPORT ON DIVERSITY RECRUITMENT, EMPLOYMENT, RETENTION, AND PROMOTION.**

(a) **IN GENERAL.**—The Secretary should provide oversight to the employment, retention, and promotion of underrepresented groups.

(b) **ADDITIONAL RECRUITMENT AND OUTREACH REQUIRED.**—The Department should conduct recruitment activities that—

(1) develop and implement effective mechanisms to ensure that the Department is able effectively to recruit and retain highly

qualified candidates from minority-serving institutions; and

(2) improve and expand recruitment and outreach programs at minority-serving institutions.

(c) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, and quadrennially thereafter, the Secretary of State shall submit a comprehensive report to Congress that describes the efforts, consistent with existing law, including procedures, effects, and results of the Department since the period covered by the prior such report, to promote equal opportunity and inclusion for all American employees in direct hire and personal service contractors status, particularly employees of the Foreign Service, to include equal opportunity for all races, ethnicities, ages, genders, and service-disabled veterans, with a focus on traditionally underrepresented minority groups.

**SEC. 6217. FOREIGN RELATIONS EXCHANGE PROGRAMS.**

(a) **EXCHANGES AUTHORIZED.**—Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended by adding at the end the following:

**“SEC. 63. FOREIGN RELATIONS EXCHANGE PROGRAMS.**

“(a) **AUTHORITY.**—The Secretary may establish exchange programs under which officers or employees of the Department of State, including individuals appointed under title 5, United States Code, and members of the Foreign Service (as defined in section 103 of the Foreign Service Act of 1980 (22 U.S.C. 3903)), may be assigned, for not more than one year, to a position with any foreign government or international entity that permits an employee to be assigned to a position with the Department of State.

“(b) **SALARY AND BENEFITS.**—

“(1) **MEMBERS OF FOREIGN SERVICE.**—During a period in which a member of the Foreign Service is participating in an exchange program authorized pursuant to subsection (a), the member shall be entitled to the salary and benefits to which the member would receive but for the assignment under this section.

“(2) **NON-FOREIGN SERVICE EMPLOYEES OF DEPARTMENT.**—An employee of the Department of State other than a member of the Foreign Service participating in an exchange program authorized pursuant to subsection (a) shall be treated in all respects as if detailed to an international organization pursuant to section 3343(c) of title 5, United States Code.

“(3) **FOREIGN PARTICIPANTS.**—The salary and benefits of an employee of a foreign government or international entity participating in a program established under this section shall be paid by such government or entity during the period in which such employee is participating in the program, and shall not be reimbursed by the Department of State.

“(c) **NON-RECIPROCAL ASSIGNMENT.**—The Secretary may authorize a non-reciprocal assignment of personnel pursuant to this section, with or without reimbursement from the foreign government or international entity for all or part of the salary and other expenses payable during the assignment, if it is in the interests of the United States.

“(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to—

“(1) authorize the appointment as an officer or employee of the United States of—

“(A) an individual whose allegiance is to any country, government, or foreign or international entity other than to the United States of America; or

“(B) an individual who has not met the requirements of sections 3331, 3332, 3333, and 7311 of title 5, United States Code, or any

other provision of law concerning eligibility for appointment as, and continuation of employment as, an officer or employee of the United States.”.

#### TITLE LXXIII—CONSULAR AUTHORITIES

##### SEC. 6301. INFORMATION ON PASSPORTS, EXPEDITED PASSPORTS, AND VISAS ISSUED BY CONSULAR AFFAIRS.

The President's annual budget submitted under section 1105(a) of title 31, United States Code, shall identify—

(1) the number of passports, expedited passports, and visas issued by Consular Affairs during the 3 most recent fiscal years; and

(2) the number of passports, expedited passports, and visas that Consular Affairs estimates, for purposes of such annual budget, will be issued during the next fiscal year.

##### SEC. 6302. PROTECTIONS FOR FOREIGN EMPLOYEES OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANIZATIONS.

Section 203(a)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375c(a)(2)) is amended—

(1) by striking “Notwithstanding” and inserting the following:

“(A) IN GENERAL.—Notwithstanding”; and

(2) by adding at the end of the following:

“(B) CREDIBLE EVIDENCE OF ABUSE OR EXPLOITATION.—For purposes of subparagraph (A), credible evidence that 1 or more employees of a mission or international organization have abused or exploited 1 or more nonimmigrants holding an A-3 visa or a G-5 visa should be deemed to exist if—

“(i) a final court judgment, including a default judgment, has been issued against a current or former employee of such mission or organization, and the time period for appeal of such judgment has expired;

“(ii) a nonimmigrant visa has been issued pursuant to section 101(a)(15)(T) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T)) to the victim of such abuse or exploitation; or

“(iii) the Secretary has requested that a country waive diplomatic immunity for a diplomat or a family member of a diplomat to permit criminal prosecution of the diplomat or family member for the abuse or exploitation.

“(C) TRAFFICKING IN PERSONS REPORT.—If credible evidence is deemed to exist pursuant to subparagraph (B) for a case of trafficking in persons involving the holder of an A-3 visa or a G-5 visa, the Secretary shall include a concise summary of such case in the next annual report submitted under section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)).

“(D) PAYMENT OF JUDGMENT.—If a holder of an A-3 visa or a G-5 visa has obtained a final court judgment finding such holder was a victim of abuse or exploitation by an employee of a diplomatic mission or international organization, the Secretary should assist such victim in obtaining payment on such judgment, including by encouraging the country that sent the employee to such mission or organization to provide compensation directly to such victim.”.

##### SEC. 6303. BORDER CROSSING FEE FOR MINORS.

Section 410(a)(1)(A) of title IV of the Department of State and Related Agencies Appropriations Act, 1999 (division A of Public Law 105-277) is amended by striking “a fee of \$13” and inserting “a fee equal to one-half of the fee that would otherwise apply for processing a machine readable combined border crossing identification card and nonimmigrant visa”.

##### SEC. 6304. SIGNED PHOTOGRAPH REQUIREMENT FOR VISA APPLICATIONS.

Section 221(b) of the Immigration and Nationality Act (8 U.S.C. 1201(b)) is amended by striking “his application, and shall furnish

copies of his photograph signed by him” and inserting “his or her application, and shall furnish copies of his or her photograph”.

##### SEC. 6305. ELECTRONIC TRANSMISSION OF DOMESTIC VIOLENCE INFORMATION TO VISA APPLICANTS.

Section 833(a)(5)(A) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (8 U.S.C. 1375a(a)(5)(A)) is amended by adding at the end the following:

“(vi) Subject to such regulations as the Secretary of State may prescribe, mailings under this subparagraph may be transmitted by electronic means.”.

##### SEC. 6306. AMERASIAN IMMIGRATION.

(a) REPEAL.—Section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988 (8 U.S.C. 1101 note) is repealed effective September 30, 2017.

(b) EFFECT ON PENDING VISA APPLICATIONS.—

(1) ADJUDICATION.—An application for a visa under the provision of law repealed by subsection (a) that was properly submitted before October 1, 2017, by an alien described in subsection (b)(1)(A) of such provision of law or an accompanying spouse or child may be adjudicated in accordance with the terms of such provision of law.

(2) ADMISSION.—If an application described in paragraph (1) is approved, the applicant may be admitted to the United States during the 1-year period beginning on the date on which such application was approved.

##### SEC. 6307. TECHNICAL AMENDMENT TO THE IMMIGRATION AND NATIONALITY ACT.

Section 212(a)(3)(G) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(G)) is amended by striking “in violation of section 2442 of title 18, United States Code” and inserting “(as described in section 2442(a) of title 18, United States Code)”.

#### TITLE LXXIV—MISCELLANEOUS PROVISIONS

##### SEC. 6401. REPORTS ON EMBASSY CONSTRUCTION AND SECURITY UPGRADE PROJECTS.

(a) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a comprehensive report to the appropriate congressional committees regarding all embassy construction projects and major embassy security upgrade projects completed during the 10-year period ending on the date of the enactment of this Act, including, for each such project—

(1) the initial cost estimate;

(2) the amount actually expended on the project;

(3) any additional time required to complete the project beyond the initial timeline; and

(4) any cost overruns incurred by the project.

(b) SEMI-ANNUAL REPORTS.—Not later than 180 days after the submission of the report required under subsection (a), and semi-annually thereafter, the Secretary shall submit a comprehensive report to the appropriate congressional committees on the status of all ongoing and recently completed embassy construction projects and major embassy security upgrade projects, including, for each project—

(1) the initial cost estimate;

(2) the amount expended on the project to date;

(3) the projected timeline for completing the project; and

(4) any cost overruns incurred by the project.

##### SEC. 6402. UNITED STATES HUMAN RIGHTS DIALOGUE REVIEW.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary, in consultation with other appropriate departments and agencies, shall—

(1) conduct a review of all human rights dialogues; and

(2) submit a report to the appropriate congressional committees containing the findings of the review conducted under paragraph (1).

(b) CONTENTS.—The report submitted under subsection (a)(2) shall include—

(1) a list of all human rights dialogues held during the prior year;

(2) a list of all bureaus and Senate confirmed officials of the Department of State that participated in each dialogue;

(3) a list of all the countries that have refused to hold human rights dialogues with the United States; and

(4) for each human rights dialogue held to the prior year, an assessment of the role of the dialogue in advancing United States foreign policy goals.

(c) DEFINED TERM.—In this section, the term “human rights dialogue” means an agreed upon and regular bilateral meeting between the Department of State and a foreign government for the primary purpose of pursuing a defined agenda on the subject of human rights.

##### SEC. 6403. SENSE OF CONGRESS ON FOREIGN CYBERSECURITY THREATS.

(a) FINDINGS.—Congress makes the following findings:

(1) The Department of State International Cyberspace Policy Strategy (referred to in this section as the “Strategy”), which was released in March 2016, states—

(A) “Cyber threats to United States national and economic security are increasing in frequency, scale, sophistication, and severity”; and

(B) “The United States works to counter threats in cyberspace through a whole-of-government approach that brings to bear its full range of instruments of national power and corresponding policy tools – diplomatic, informational, military, economic, intelligence, and law enforcement – as appropriate and consistent with applicable law”.

(2) The 2016 Worldwide Threat Assessment of the U.S. Intelligence Community (“Threat Assessment”), released on February 6, 2016—

(A) names Russia, China, Iran, and North Korea as “leading threat actors” in cyberspace;

(B) states “China continues to have success in cyber espionage against the US Government, our allies, and US companies”; and

(C) states “North Korea probably remains capable and willing to launch disruptive or destructive cyberattacks to support its political objectives”.

(3) On April 1, 2015, the President issued Executive Order 13694, entitled “Blocking the Property of Certain Persons Engaging in Significant Malicious Cyber-Enabled Activities”.

(4) On February 18, 2016, the President signed into law the 2016 North Korea Sanctions and Policy Enhancement Act of 2016 (Public Law 114-122), which codified into law the policy set forth in Executive Order 13694.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) threats in cyberspace from state and nonstate actors have emerged as a serious threat to the national security of the United States;

(2) the United States Government should use all diplomatic, economic, legal, and military tools to counter cyber threats; and

(3) the United States Government should impose economic sanctions under existing authorities against state and nonstate actors that have engaged in malicious cyber-enabled activities.

(c) SEMI-ANNUAL REPORTS ON CYBERSECURITY AGREEMENT BETWEEN THE UNITED STATES AND CHINA.—Not later than 90 days after the date of the enactment of this Act,

and every 180 days thereafter, the Secretary shall submit a report to the appropriate congressional committees, with a classified annex if necessary, that describes the status of the implementation of the cybersecurity agreement between the United States and the People's Republic of China, which was concluded on September 25, 2015, including an assessment of the People's Republic of China's compliance with its commitments under the agreement.

(d) **RULE OF CONSTRUCTION.**—Nothing in this Act or any amendment made by this Act may be construed as authorizing the use of military force for any purpose, including as a specific authorization for the use of military force under the War Powers Resolution (Public Law 93-148; 50 U.S.C. 1541 et seq.), or as congressional intent to provide such authorization.

**SEC. 6404. REPEAL OF OBSOLETE REPORTS.**

(a) **ANNUAL REPORT ON THE ISRAELI-PALESTINIAN PEACE, RECONCILIATION AND DEMOCRACY FUND.**—Section 10 of the Palestinian Anti-Terrorism Act of 2006 (Public Law 109-446; 22 U.S.C. 2378b note) is amended—

- (1) by striking subsection (b); and
- (2) by redesignating subsection (c) as subsection (b).

(b) **ANNUAL REPORT ON ASSISTANCE PROVIDED FOR INTERDICTION ACTIONS OF FOREIGN COUNTRIES.**—Section 1012 of the National Defense Authorization Act for Fiscal Year 1995 (22 U.S.C. 2291-4) is amended—

- (1) by striking subsection (c); and
- (2) by redesignating subsection (d) as subsection (b).

(c) **REPORTS RELATING TO SUDAN.**—The Sudan Peace Act (Public Law 107-245; 50 U.S.C. 1701 note) is amended—

- (1) by striking section 8; and
- (2) in section 11, by striking subsection (b).

(d) **ANNUAL REPORT ON OUTSTANDING EXPROPRIATION CLAIMS.**—Section 527 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236; 22 U.S.C. 2370a) is amended—

- (1) by striking subsection (f); and
- (2) by redesignating subsections (g), (h), and (i) as subsections (f), (g), and (h), respectively.

**SEC. 6405. SENSE OF THE SENATE REGARDING THE RELEASE OF INTERNATIONALLY ADOPTED CHILDREN FROM THE DEMOCRATIC REPUBLIC OF CONGO.**

(a) **FINDINGS.**—The Senate makes the following findings:

(1) In September 2013, the Government of the Democratic Republic of Congo suspended the issuance of exit permits to children adopted by international parents.

(2) In February 2016, after continuous efforts by the Department of State, the President, and Congress, the Government of the Democratic Republic of Congo began issuing exit permits to internationally adopted children and committed to reviewing all unresolved cases by the end of March 2016.

(3) As of March 31, 2016, more than 300 children had been authorized to apply for exit permits, but many adopted children remain stranded in the Democratic Republic of Congo, including at least two children adopted by Wisconsin families.

(b) **SENSE OF THE SENATE.**—The Senate—

(1) urges the Government of the Democratic Republic of Congo to complete its review of all unresolved international adoption cases as soon as possible; and

(2) calls upon the United States Government to continue to treat the release of internationally adopted children from the Democratic Republic of Congo as a priority until all cases have been resolved.

**SEC. 6406. COMMUNICATION WITH GOVERNMENTS OF COUNTRIES DESIGNATED AS TIER 2 WATCH LIST COUNTRIES ON THE TRAFFICKING IN PERSONS REPORT.**

(a) **IN GENERAL.**—Not less frequently than annually, the Secretary shall provide, to the foreign minister of each country that has been designated as a “Tier 2 Watch List” country pursuant to section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b))—

(1) a copy of the annual Trafficking in Persons Report; and

(2) information pertinent to such country's designation, including—

(A) confirmation of the country's designation to the Tier 2 Watch List;

(B) the implications associated with such designation and the consequences for the country of a downgrade to Tier 3;

(C) the factors that contributed to the designation; and

(D) the steps that the country must take to be considered for an upgrade in status of designation.

(b) **SENSE OF CONGRESS REGARDING COMMUNICATIONS.**—It is the sense of Congress that, given the gravity of a Tier 2 Watch List designation, the Secretary should communicate the information described in subsection (a) to the foreign minister of any country designated as being on the Tier 2 Watch List.

**SEC. 6407. AUTHORITY TO ISSUE ADMINISTRATIVE SUBPOENAS.**

Section 3486 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A)—

(i) in clause (ii), by striking “or” at the end; and

(ii) in clause (iii), by striking the comma at the end and inserting a semicolon; and

(iii) by inserting after clause (iii) the following:

“(iv) an offense under section 878, or a threat against a person, foreign mission, or organization authorized to receive protection by special agents of the Department of State and the Foreign Service under section 37 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709), if the Assistant Secretary for Diplomatic Security or the Director of the Diplomatic Security Service determines that the threat constituting the offense or threat against the person or place protected is imminent, the Secretary of State; or

“(v) an offense under chapter 75, the Secretary of State;”;

(B) in paragraph (9), by striking “paragraph (1)(A)(i)(II) or (1)(A)(iii)” and inserting “clause (i)(II), (iii), (iv), or (v) of paragraph (1)(A);” and

(C) in paragraph (10), by adding at the end the following: “As soon as practicable following the issuance of a subpoena under paragraph (1)(A)(iv), the Secretary of State shall notify the Attorney General of its issuance.”; and

(2) in subsection (e)(1)—

(A) by striking “unless the action or investigation arises” and inserting the following: “unless the action or investigation—

“(A) arises”; and

(B) by striking “or if authorized” and inserting the following:

“(B) directly relates to the purpose for which the subpoena was authorized under paragraph (1); or

“(C) is authorized”.

**SEC. 6408. EXTENSION OF PERIOD FOR REIMBURSEMENT OF SEIZED COMMERCIAL FISHERMEN.**

Section 7(e) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1977(e)) is amended by striking “2008” and inserting “2018”.

**SEC. 6409. SPECIAL AGENTS.**

(a) **IN GENERAL.**—Section 37(a)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709(a)(1)) is amended to read as follows:

“(1) conduct investigations concerning—

“(A) illegal passport or visa issuance or use;

“(B) identity theft or document fraud affecting or relating to the programs, functions, and authorities of the Department of State; or

“(C) Federal offenses committed within the special maritime and territorial jurisdiction of the United States (as defined in section 7(9) of title 18, United States Code), except as that jurisdiction relates to the premises of United States military missions and related residences;”.

(b) **CONSTRUCTION.**—Nothing in the amendment made by subsection (a) may be construed to limit the investigative authority of any Federal department or agency other than the Department of State.

**SEC. 6410. ENHANCED DEPARTMENT OF STATE AUTHORITY FOR UNIFORMED GUARDS.**

The State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended by inserting after section 37 (22 U.S.C. 2709) the following:

**“SEC. 37A. PROTECTION OF BUILDINGS AND AREAS IN THE UNITED STATES BY UNIFORMED GUARDS.**

“(a) **ENFORCEMENT AUTHORITIES FOR UNIFORMED GUARDS.**—The Secretary of State may authorize uniformed guards of the Department of State to protect buildings and areas within the United States for which the Department of State provides protective services, including duty in areas outside the property to the extent necessary to protect the property and persons in that area.

“(b) **POWERS OF GUARDS.**—While engaged in the performance of official duties as a uniformed guard under subsection (a), a guard may—

“(1) enforce Federal laws and regulations for the protection of persons and property;

“(2) carry firearms; and

“(3) make arrests without warrant for any offense against the United States committed in the guard's presence, or for any felony cognizable under the laws of the United States, to the extent necessary to protect the property and persons in that area, if the guard has reasonable grounds to believe that the person to be arrested has committed or is committing such felony in connection with the buildings and areas, or persons, for which the Department of State is providing protective services.

“(c) **RULEMAKING.**—

“(1) **IN GENERAL.**—The Secretary of State, in consultation with the Secretary of Homeland Security, may prescribe regulations necessary for the administration of buildings and areas within the United States for which the Department of State provides protective services.

“(2) **PENALTIES.**—Subject to subsection (d), the regulations prescribed under paragraph (1) may include reasonable penalties for violations of the regulations.

“(3) **POSTING.**—The regulations prescribed under paragraph (1) shall be posted and shall remain posted in a conspicuous place on each property described in paragraph (1).

“(d) **PENALTIES.**—A person violating a regulation prescribed under subsection (c) shall be fined under title 18, United States Code, imprisoned for not more than 6 months, or both.

“(e) **ATTORNEY GENERAL APPROVAL.**—The powers granted to uniformed guards under this section shall be exercised in accordance with guidelines approved by the Attorney General.

“(f) RELATIONSHIP TO OTHER AUTHORITY.— Nothing in this section may be construed to affect the authority of the Secretary of Homeland Security, the Administrator of General Services, or any Federal law enforcement agency.”

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 24, 2016, at 10:30 a.m., to conduct a hearing entitled “Understanding the role of Sanctions Under the Iran Deal.”

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

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 24, 2016, at 10 a.m., in room SR-253 of The Russell Senate Office Building to conduct a hearing entitled “Examining the Multistakeholder Plan for Transitioning the Internet Assigned Number Authority.”

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

##### COMMITTEE ON FINANCE

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 24, 2016, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building to conduct a hearing entitled “Debt versus Equity: Corporate Integration Considerations.”

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

##### COMMITTEE ON FOREIGN RELATIONS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 24, 2016, at 10 a.m., to conduct a hearing entitled “U.S.-India Relations: Balancing Progress and Managing Expectations.”

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

##### COMMITTEE ON VETERANS' AFFAIRS

Mr. THUNE. Mr. President, I ask unanimous consent that the Com-

mittee on Veterans' Affairs be authorized to meet during the session of the Senate on May 24, 2016, at 2:15 p.m., in room SR-418 of the Russell Senate Office Building.

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

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. THUNE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 24, 2016, at 2:30 p.m., in room SH-219 of the Hart Senate Office Building.

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

##### SUBCOMMITTEE ON FISHERIES, WATER, AND WILDLIFE

Mr. THUNE. Mr. President, I ask unanimous consent that the Subcommittee on Fisheries, Water, and Wildlife of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 24, 2016, at 2:30 p.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled, “Erosion of Exemptions and Expansion of Federal Control Implementation of the Definition of Waters of the United States.”

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

#### PRIVILEGES OF THE FLOOR

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the defense legislative fellow in my office, Senior MSG Trey Walker, be granted floor privileges for the duration of the consideration of the National Defense Authorization Act.

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

#### EXPRESSING APPRECIATION OF THE GOALS OF AMERICAN CRAFT BEER WEEK

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 473, submitted earlier today.

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

The bill clerk read as follows:

A resolution (S. Res. 473) expressing appreciation of the goals of American Craft Beer

Week and commending the small and independent craft brewers of the United States.

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

Mr. McCONNELL. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 473) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under “Submitted Resolutions.”)

#### ORDERS FOR WEDNESDAY, MAY 25, 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Wednesday, May 25; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of S.J. Res. 28, with the time equally divided between opponents and proponents until 11 a.m., with Senator SHAHEEN controlling 10 minutes of the proponents' time; finally, that notwithstanding the provisions of rule XXII and the CRA, all time on S.J. Res. 28 be deemed expired at 11 a.m. tomorrow.

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

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:43 p.m., adjourned until Wednesday, May 25, 2016, at 10 a.m.