2943, supra; which was ordered to lie on the table.

SA 4519. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4520. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4521. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4522. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4523. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4524. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4525. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4526. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4527. Mr. CASEY (for himself, Mr. INHOFE, Mr. BLUMENTHAL, and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4528. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4529. Mrs. MURRAY (for herself and Mr. KAINE) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4530. Mrs. GILLIBRAND (for herself and Mr. DAINES) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4531. Mr. BOOKER (for himself, Mr. BLUMENTHAL, Mr. NELSON, Mr. SCHUMER, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4532. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4533. Mr. SCHATZ (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4534. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4535. Mrs. ERNST submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4536. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4537. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4538. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4539. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4540. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4541. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4542. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4543. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4544. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4545. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4546. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4547. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4548. Mr. BROWN (for himself, Mr. BLUNT, Mrs. MCCASKILL, and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4549. Mr. REED (for himself and Ms. MIKULSKI) proposed an amendment to amendment SA 4229 proposed by Mr. MCCAIN to the bill S. 2943, supra.

SA 4550. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4551. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4552. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4553. Mr. LEAHY (for himself, Mr. FLAKE, Mr. CARDIN, and Mr. DURBIN) 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 4448. Mr. LEE (for himself, Mrs. FEINSTEIN, Mr. PAUL, Mr. UDALL, Mr. CRUZ, Ms. COLLINS, and Mr. HEINRICH) 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. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

Section 4001 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

''(a) No citizen or lawful permanent resident of the United States shall be imprisoned or otherwise detained by the United States except consistent with the Constitution and pursuant to an Act of Congress that expressly authorizes such imprisonment or detention.'';

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

''(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

''(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017.

''(3) This section shall not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.''.

SA 4449. Mr. BARRASSO (for himself and Mr. ENZI) 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. AUTHORITY FOR AGREEMENTS TO REIMBURSE STATES FOR COSTS OF SUPPRESSING WILDFIRES ON STATE LANDS CAUSED BY DEPARTMENT OF DEFENSE ACTIVITIES UNDER LEASES AND OTHER GRANTS OF ACCESS TO STATE LANDS.

Section 2691 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) The Secretary of Defense may, in any lease, permit, license, or other grant of access for use of lands owned by a State, agree to reimburse the State for the reasonable costs of the State in suppressing wildland fires caused by the activities of the Department of Defense under such lease, permit, license, or other grant of access.''.

SA 4450. Mr. SULLIVAN 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 1241, insert the following:

SEC. 1241A. UNITED STATES POLICY WITH RESPECT TO FREEDOM OF NAVIGATION OPERATIONS IN INTERNATIONAL WATERS AND AIRSPACE.

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

(1) Since the Declaration of Independence in 1776, which was inspired in part as a response to a ''tyrant'' who ''plundered our seas, ravaged our Coasts'' and who wrote laws ''for cutting off our Trade with all parts of the world'', freedom of seas and promotion of international commerce have been core security interests of the United States.

(2) Article I, section 8 of the Constitution of the United States establishes enumerated powers for Congress which include regulating commerce with foreign nations, punishing piracies and felonies committed on the high seas and offenses against the law of nations, and providing and maintaining a Navy.

(3) For centuries, the United States has maintained a bedrock commitment to ensuring the right to freedom of navigation for all law-abiding parties in every region of the world.

(4) In support of international law, the longstanding United States commitment to freedom of navigation and ensuring the free access to sea lanes to promote global commerce remains a core security interest of the United States.

(5) This is particularly true in areas of the world that are critical transportation corridors and key routes for global commerce, such as the South China Sea and the East China Sea, through which a significant portion of global commerce transits.

(6) The consistent exercise of freedom of navigation operations and overflights by United States naval and air forces throughout the world plays a critical role in safeguarding the freedom of the seas for all lawful nations, supporting international law, and ensuring the continued safe passage and promotion of global commerce and trade.

(b) DECLARATION OF POLICY.—It is the policy of the United States to fly, sail, and operate throughout the oceans, seas, and airspace of the world wherever international law allows.

(c) IMPLEMENTATION OF POLICY.—

(1) IN GENERAL.—In furtherance of the policy set forth in subsection (b), the Secretary of Defense shall—

(A) plan and execute a robust series of routine and regular freedom of navigation operations (FONOPs) throughout the world, with a particular emphasis on critical transportation corridors and key routes for global commerce (such as the South China Sea and the East China Sea);

(B) execute, in such critical transportation corridors, routine and regular maritime freedom of navigation operations throughout the year;

(C) in addition to the operations executed pursuant to subparagraph (B), execute routine and regular maritime freedom of navigation operations throughout the year, in accordance with international law, including the use of expanded military options and maneuvers beyond innocent passage (including fire-control radars, small boat launches, and helicopter patrols);

(D) to the maximum extent practicable, execute freedom of navigation operations pursuant to this subsection with regional partner countries and allies of the United States; and

(E) when necessary, execute other routine and regular freedom of navigation operations to challenge maritime and airspace claims by other countries that are not consistent with international law.

(2) WAIVER.—The Secretary may waive a requirement in paragraph (1) to execute a freedom of navigation operation otherwise specified by that paragraph if the Secretary certifies to the congressional defense committees in writing that the waiver is in the national security interests of the United States and includes with such certification a justification for the waiver.

(d) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later then June 30 each year, the Secretary of Defense shall submit to the congressional defense committees a report on the freedom of navigation operations executed pursuant to subsection (c) during the preceding calendar year.

(2) ELEMENTS.—Each report under this subsection shall include, for the calendar year covered by such report, the following:

(A) A list of each freedom of navigation operation executed.

(B) A description of each such operation, including—

(i) the location of the operation;

(ii) the type of claim challenged by the operation;

(iii) the specific military operations conducted during the operation; and

(iv) each partner country or ally, if any, included in the operation.

SA 4451. Mr. HEINRICH 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 216, insert the following:

SEC. 216A. HIGH ENERGY LASER SYSTEMS TEST FACILITY.

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

(1) The High Energy Laser Systems Test Facility (HELSTF) was chartered to be the primary test and evaluation facility for high energy laser systems throughout the Department of Defense and the Armed Forces, thus ensuring efficient, effective, and more affordable testing and evaluation of high energy lasers for the United States.

(2) Research, development, test, and evaluation on high energy lasers is critical to achieving the Third Offset Strategy of the Department, and workloads related to laser testing are increasing.

(3) Due to insufficient funding, the High Energy Laser Systems Test Facility is unable to accommodate the test and evaluation demanded of it by the Armed Forces.

(b) INDEPENDENT EVALUATION.—

(1) IN GENERAL.—The Secretary of Defense shall enter into an agreement with an independent entity to conduct an evaluation and assessment of options to provide financial resources for the High Energy Laser Systems Test Facility in accordance with the recommendations in the 2009 report of the Test Resource Management Center and High Energy Laser Joint Program Office entitled ''Impact Report to Congress on High Energy Laser Systems Test Facility (HELSTF) and Plan for Test and Evaluation of High Energy Laser Systems'', and other relevant reports, including—

(A) the transfer of management of the Facility to the Joint Directed Energy Program Office (JDEPO), as redesignated by section 216(b); and

(B) modifications of funding for the Joint Directed Energy Program Office in order to provide adequate financial resources for the Facility.

(2) REPORT.—Under the agreement entered into pursuant to paragraph (1), the entity conducting the evaluation and assessment required pursuant to that paragraph shall, by not later than January 31, 2017, submit to the Secretary, and to the congressional defense committees, a report setting forth the results of the evaluation and assessment, including such recommendations for legislative and administrative action with respect to the financial resources and organization of the High Energy Laser Systems Test Facility as the entity considers appropriate.

SA 4452. Mr. HEINRICH (for himself, Mr. HELLER, and Mr. UDALL) 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 1046 and replace with the following:

SEC. 1046. INDEPENDENT STUDY ON OPERATION OF REMOTELY PILOTED AIRCRAFT BY ENLISTED AIR FORCE PERSONNEL.

(a) INDEPENDENT STUDY.—

(1) IN GENERAL.—The Secretary of the Air Force shall obtain an independent review and assessment of officer and enlisted pilots and crews in the remotely piloted aircraft (RPA) enterprise that determines the following:

(A) The appropriate future balance of officer and enlisted pilots and crews in the remotely piloted aircraft enterprise.

(B) Any potential impacts on the future structure of the Air Force of incorporating enlisted personnel into the piloting of remotely piloted aircraft.

(2) CONSIDERATIONS IN DETERMINING BALANCE.—The balance determined pursuant to the study shall be determined taking into account relevant portions of the defense strategy, critical assumptions, priorities, force-sizing constructs, and costs.

(b) REPORT.—Not later than April 14, 2017, the Secretary shall submit to the congressional defense committees a comprehensive report on the results of the study required by subsection (a), including the following:

(1) A detailed discussion of the specific assumptions, observations, conclusions, and recommendations of the study.

(2) A detailed description of the modeling and analysis techniques used for the study.

SA 4453. Mr. HEINRICH 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 V, add the following:

SEC. 597. SPECIAL EXPERIENCE INDICATOR FOR AIR FORCE COMMUNICATIONS MAINTENANCE PERSONNEL WHO MAINTAIN REMOTELY PILOTED AIRCRAFT GROUND CONTROL STATIONS.

(a) ESTABLISHMENT REQUIRED.—Not later than February 1, 2017, the Secretary of the Air Force shall establish a Special Experience Indicator (SEI) for Air Force communications maintenance personnel who maintain remotely piloted aircraft ground control stations (GCS).

(b) ASSIGNMENT TO CURRENT PERSONNEL.—The Secretary shall complete the assignment of the Special Experience Indicator established pursuant to subsection (a) to all current personnel of the Air Force who merit the assignment of the Special Experience Indicator by not later than September 1, 2017.

SA 4454. Mr. HEINRICH 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 1123 and insert the following:

SEC. 1123. DIRECT HIRE AUTHORITY FOR SCIENTIFIC, ENGINEERING, AND OTHER POSITIONS FOR TEST AND EVALUATION FACILITIES OF THE MAJOR RANGE AND TEST FACILITY BASE.

(a) IN GENERAL.—The Secretary of Defense may, acting through the Director of Operational Test and Evaluation and the Directors of the test and evaluation facilities of the Major Range and Test Facility Base of the Department of Defense, appoint qualified candidates possessing a college degree to scientific, engineering, technical, and key support positions within the Office of the Director of Operational Test and Evaluation and the test and evaluation facilities of the Major Range and Test Facility Base without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of such title.

(b) LIMITATION ON NUMBER.—

(1) IN GENERAL.—Authority under this section may not, in any calendar year and with respect to the Office of the Director of Operational Test and Evaluation or any test and evaluation facility, be exercised with respect to a number of candidates greater than the number equal to 5 percent of the total number of positions described in subsection (a) within the Office or such facility that are filled as of the close of the fiscal year last ending before the start of such calendar year.

(2) NATURE OF APPOINTMENT.—For purposes of this subsection, any candidate appointed to a position under this section shall be treated as appointed on a full-time equivalent basis.

(c) TERMINATION.—The authority to make appointments under this section shall not be available after December 31, 2021.

(d) MAJOR RANGE AND TEST FACILITY BASE DEFINED.—In this section, the term ''Major Range and Test Facility Base'' means the test and evaluation facilities that are designated by the Secretary as facilities and resources comprising the Major Range and Test Facility Base of the Department.

SA 4455. Mrs. SHAHEEN (for herself and 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 E of title XVI, add the following:

SEC. 1667. REPORT ON PERFORMANCE OF TRANSISTORS USED BY MISSILE DEFENSE AGENCY.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on the performance of transistors used in electronic systems on platforms and systems in radiation-hardened applications of the Agency.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) an assessment of the performance of transistors described in subsection (a) in radiation-hardened applications; and

(2) an identification of emerging transistor technologies with the potential to enhance the performance of electronic systems in radiation-hardened applications.

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

SA 4456. Mr. MERKLEY 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. PROGRAM TO INCREASE EFFICIENCY IN THE RECRUITMENT AND HIRING BY THE DEPARTMENT OF VETERANS AFFAIRS OF HEALTH CARE WORKERS UNDERGOING SEPARATION FROM THE ARMED FORCES.

(a) PROGRAM.—The Secretary of Veterans Affairs shall, in coordination with the Secretary of Defense, carry out a program to recruit individuals who are undergoing separation from the Armed Forces and who served in a health care capacity while serving as a member of the Armed Forces. The program shall be known as the ''Docs-to-Doctors Program''.

(b) SHARING OF INFORMATION.—

(1) SUBMITTAL OF LIST.—For purposes of carrying out the program, not less frequently than once per year (or a shorter period that the Secretary of Veterans Affairs and the Secretary of Defense may jointly specify), the Secretary of Defense shall submit to the Secretary of Veterans Affairs a list of members of the Armed Forces, including the reserve components, who—

(A) served in a health care capacity while serving as a member of the Armed Forces;

(B) are undergoing or have undergone separation from the Armed Forces during the period covered by the list; and

(C) will be discharged from the Armed Forces under honorable conditions, as determined by the Secretary of Defense, or have been discharged from the Armed Forces under honorable conditions during the period covered by the list.

(2) USE OF OCCUPATIONAL CODES.—Each list submitted under paragraph (1) shall include members of the Armed Forces who were assigned a Military Occupational Specialty code, an Air Force Specialty Code, or a United States Navy rating indicative of service in a health care capacity.

(3) INFORMATION INCLUDED.—Each list submitted under paragraph (1) shall include the following information, to the extent such information is available to the Secretary of Defense, with respect to each member of the Armed Forces included in such list:

(A) Contact information.

(B) Rank upon separation from the Armed Forces.

(C) A description of health care experience while serving as a member of the Armed Forces and other relevant health care experience, including any relevant credential, such as a certificate, certification, or license, including the name of the institution or organization that issued the credential.

(4) CONSULTATION WITH SECRETARY OF HOMELAND SECURITY.—In submitting each list under paragraph (1), the Secretary of Defense shall consult with the Secretary of Homeland Security with respect to matters concerning the Coast Guard when it is not operating as a service in the Navy.

(c) RESOLUTION OF BARRIERS TO EMPLOYMENT.—

(1) IN GENERAL.—In carrying out the program, the Secretary of Veterans Affairs shall, in coordination with the Secretary of Defense, work to resolve any barriers relating to credentialing or to specific hiring rules, procedures, and processes of the Department of Veterans Affairs that may delay or prevent the hiring of individuals who are undergoing separation from the Armed Forces and who served in a health care capacity while serving as a member of the Armed Forces, including by reconciling different credentialing processes and standards between the Department of Veterans Affairs and the Department of Defense.

(2) REPORT.—If the Secretary of Veterans Affairs determines that a barrier described in paragraph (1) cannot be resolved under such paragraph, the Secretary shall, not later than 90 days after the discovery of the barrier, submit to Congress a report that includes such recommendations for legislative and administrative action as the Secretary considers appropriate to resolve the barrier, including any barrier imposed by a State.

(d) TREATMENT OF APPLICATIONS FOR EMPLOYMENT.—An application for employment in the Department of Veterans Affairs in a health care capacity received by the Secretary of Veterans Affairs from a member or former member of the Armed Forces who is on a list submitted to the Secretary under subsection (b) shall not be considered an application from outside the work force of the Department for purposes of section 3330 of title 5, United States Code, and section 335.105 of title 5, Code of Federal Regulations (as in effect on the date of the enactment of this Act), if the application is received not later than one year after the separation of the member or former member from the Armed Forces.

SEC. 1097A. UNIFORM CREDENTIALING STANDARDS FOR CERTAIN HEALTH CARE PROFESSIONALS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Subchapter II of chapter 74 of title 38, United States Code, is amended by inserting after section 7423 the following new section:

''§ 7423A. Personnel administration: uniform credentialing process

''(a) UNIFORM PROCESS.—The Secretary shall implement a uniform credentialing process for employees of the Veterans Health Administration for each position specified in section 7421(b) of this title.

''(b) RECOGNITION THROUGHOUT ADMINISTRATION.—If an employee of the Administration in a position specified in section 7421(b) of this title is credentialed under this section for purposes of practicing in a location within the Administration, such credential shall be deemed to be sufficient for the employee to practice in any location within the Administration.

''(c) RENEWAL.—(1) Except as provided in paragraph (2), the Secretary may provide for the renewal of credentials under this section

pursuant to such regulations as the Secretary may prescribe for such purpose.

''(2) Renewal of credentials under this section may not be required solely because an employee moves from one facility of the Department to another.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 of such title is amended by inserting after the item relating to section 7423 the following new item:

''7423A. Personnel administration: uniform credentialing process.''.

(c) EFFECTIVE DATE.—The Secretary of Veterans Affairs shall implement the uniform credentialing process required under section 7423A of such title, as added by subsection (a), not later than one year after the date of the enactment of this Act.

SA 4457. Mr. MERKLEY (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 D of title XVI, add the following:

SEC. 1655. PLAN TO MODERNIZE THE NUCLEAR WEAPONS STOCKPILE.

Section 1043(a)(2) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576), as most recently amended by section 1643 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3650), is further amended—

(1) by redesignating subparagraph (G) as subparagraph (I); and

(2) by inserting after subparagraph (F) the following new subparagraph:

''(G) A detailed description of the plan to modernize the nuclear weapons stockpile of the United States, including an estimate of the costs (including estimated cost ranges if necessary), during the 25-year period following the date of the report to implement planned programs to modernize and sustain all elements of the nuclear security enterprise, including the estimated life cycle costs of modernization programs planned and or in the planning stages as of the date of the report. Such estimates shall include the costs of research and development and production relating to nuclear weapons that are being replaced, modernized, or sustained, including with respect to—

''(i) associated delivery systems or platforms that carry nuclear weapons;

''(ii) nuclear command and control systems; and

''(iii) facilities, infrastructure, and critical skills.''.

SA 4458. 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 I of title X, add the following:

SEC. 1097. CLOSURE OF ST. MARYS AIRPORT, ST. MARYS, GEORGIA.

(a) RELEASE OF RESTRICTIONS.—Subject to subsection (b), the United States, acting through the Administrator of the Federal Aviation Administration, shall release the City of St. Marys, Georgia, from all restrictions, conditions, and limitations on the use, encumbrance, conveyance, and closure of the St. Marys Airport, to the extent such restrictions, conditions, and limitations are enforceable by the Administrator.

(b) REQUIREMENTS FOR RELEASE OF RESTRICTIONS.—The Administrator shall execute the release under subsection (a) once all of the following occurs:

(1) The Secretary of the Navy transfers to the Georgia Department of Transportation the amounts described in subsection (c) and requires as an enforceable condition on such transfer that all funds transferred shall be used only for airport development (as defined in section 47102 of title 49, United States Code) of a regional airport in Georgia, consistent with planning efforts conducted by the Administrator and the Georgia Department of Transportation.

(2) The City of St. Marys, for consideration as provided for in this section, grants to the United States, under the administrative jurisdiction of the Secretary, a restrictive use easement in the real property used for the St. Marys Airport, as determined acceptable by the Secretary, under such terms and conditions that the Secretary considers necessary to protect the interests of the United States and prohibiting the future use of such property for all aviation-related purposes and any other purposes deemed by the Secretary to be incompatible with the operations, functions, and missions of Naval Submarine Base, Kings Bay, Georgia.

(3) The Secretary obtains an appraisal to determine the fair market value of the real property used for the St. Marys Airport in the manner described in subsection (c)(1).

(4) The Administrator fulfills the obligations under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in connection with the release under subsection (a). In carrying out such obligations—

(A) the Administrator shall not assume or consider any potential or proposed future redevelopment of the current St. Marys airport property;

(B) any potential new regional airport in Georgia shall be deemed to be not connected with the release noted in subsection (a) nor the closure of St. Marys Airport; and

(C) any environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a potential regional airport in Georgia shall be considered through an environmental review process separate and apart from the environmental review made a condition of release by this section.

(5) The Administrator fulfills the obligations under sections 47107(h) and 46319 of title 49, United States Code.

(6) Any actions required under part 157 of title 14, Code of Federal Regulations, are carried out to the satisfaction of the Administrator.

(c) TRANSFER OF AMOUNTS DESCRIBED.—The amounts described in this subsection are the following:

(1) An amount equal to the fair market value of the real property of the St. Marys Airport, as determined by the Secretary and concurred in by the Administrator, based on an appraisal report and title documentation that—

(A) is prepared or adopted by the Secretary, and concurred in by the Administrator, not more than 180 days prior to the transfer described in subsection (b)(1); and

(B) meets all requirements of Federal law and the appraisal and documentation standards applicable to the acquisition and disposal of real property interests of the United States.

(2) An amount equal to the unamortized portion of any Federal development grants (including grants available under a State block grant program established pursuant to section 47128 of title 49, United States Code), other than used for the acquisition of land, paid to the City of St. Marys for use as the St. Marys Airport.

(3) An amount equal to the airport revenues remaining in the airport account for the St. Marys Airport as of the date of the enactment of this Act and as otherwise due to or received by the City of St. Marys after such date of enactment pursuant to sections 47107(b) and 47133 of title 49, United States Code.

(d) AUTHORIZATION FOR TRANSFER OF FUNDS.—Using funds available to the Department of the Navy for operation and maintenance, the Secretary may pay the amounts described in subsection (c) to the Georgia Department of Transportation, conditioned as described in subsection (b)(1).

(e) ADDITIONAL REQUIREMENTS.—

(1) SURVEY.—The exact acreage and legal description of St. Marys Airport shall be determined by a survey satisfactory to the Secretary and concurred in by the Administrator.

(2) PLANNING OF REGIONAL AIRPORT.—Any planning effort for the development of a regional airport in southeast Georgia shall be conducted in coordination with the Secretary, and shall ensure that any such regional airport does not interfere with the operations, functions, and missions of Naval Submarine Base, Kings Bay, Georgia. The determination of the Secretary shall be final as to whether the operations of a new regional airport in southeast Georgia would interfere with such military operations.

SA 4459. Mr. MANCHIN 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 153, strike lines 1 through 16.

SA 4460. Mr. MANCHIN 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 VIII, add the following:

SEC. 877. COMPTROLLER GENERAL REPORT ON SOLID ROCKET MOTOR (SRM) INDUSTRIAL BASE FOR TACTICAL MISSILES.

(a) IN GENERAL.—Not later than March 31, 2017, the Comptroller General of the United States shall submit to the congressional defense committees a report on the solid rocket motor (SRM) industrial base for tactical missiles.

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

(1) A review of all Department of Defense reports that have been published since 2009 on the United States tactical solid rocket motor (SRM) industrial base, together with the analyses underlying such reports.

(2) An examination of the factors the Department uses in awarding SRM contracts and that Department of Defense contractors use in awarding SRM subcontracts, including cost, schedule, technical qualifications, supply chain diversification, past performance, and other evaluation factors, such as meeting offset obligations under foreign military sales agreements.

(3) An assessment of the foreign-built portion of the United States SRM market and of the effectiveness of actions taken by the Department to address the declining state of the United States tactical SRM industrial base.

SA 4461. Mr. MANCHIN (for himself and Mr. TILLIS) 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 563 and insert the following:

SEC. 563. ACCESS TO DEPARTMENT OF DEFENSE INSTALLATIONS OF INSTITUTIONS OF HIGHER EDUCATION PROVIDING CERTAIN ADVISING AND STUDENT SUPPORT SERVICES.

(a) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by inserting after section 2012 the following new section:

''§ 2012a. Access to department of defense installations: institutions of higher education providing certain advising and student support services

''(a) ACCESS.—

''(1) ACCESS TO BE PERMITTED.—

''(A) IN GENERAL.—The Secretary of Defense may grant access to Department of Defense installations for the purpose of providing at the installation concerned timely face-to-face student advising and related support services to members of the armed forces and other persons who are eligible for assistance under Department of Defense educational assistance programs and authorities, in accordance with the limitations provided under paragraph (2)(B), to any institution of higher education that—

''(i) has entered into a Voluntary Education Partnership Memorandum of Understanding with the Department;

''(ii) is not in violation of the Department of Defense Voluntary Education Partnership Memorandum of Understanding that governs higher education activities on military installations and complies with the regulations related to substantial misrepresentation promulgated pursuant to section 487(c)(3) of the Higher Education Act of 1965 (20 U.S.C. 1094(c)(3)); and

''(iii) has received approval for such access by the educational service office of the installation concerned.

''(B) TRANSITION ASSISTANCE PROGRAM.—The Secretary of Defense may grant access to Department of Defense installations for the purpose of educating members of the armed forces about education and employment after military service as part of the Transition Assistance Program to any institution of higher education that meets the criteria under subparagraph (A) and has received approval for such access by the base transition office of the installation concerned.

''(2) SCOPE OF ACCESS.—

''(A) IN GENERAL.—Access may be granted under paragraph (1) in a nondiscriminatory manner to any institution covered by that paragraph regardless of the particular learning modality offered by that institution.

''(B) STUDENT ADVISING AND RELATED SUPPORT .—Access granted in accordance with paragraph (1)(A) shall be limited to face-to-face student advisement and related support services for such institution's students who are enrolled as of the date of the advisement and provision of related support services.

''(C) TRANSITION ASSISTANCE PROGRAM.—Access granted in accordance with paragraph (1)(B) shall be limited to face-to-face student advisement and related support services for students and members of the armed forces who have elected to participate in the higher education track of the Transition Assistance Program but shall not occur during the Transition Assistance Program.

''(D) PROHIBITIONS.—Any institution of higher education granted installation access under this section shall be prohibited from engaging in any recruitment, marketing, or advertising activities during such access.

''(b) REGULATIONS.—The Secretary shall prescribe in regulations the time and place of access granted pursuant to subsection (a). The regulations shall provide the following:

''(1) The opportunity for institutions of higher education to receive access at times and places that ensure opportunity for students to obtain advising and support services described in subsection (a) as best meets the needs of the military and members of the armed forces.

''(2) The opportunity for institutions of higher education to receive access at times and places that ensure opportunity for members of the armed forces transitioning to life after military service, as determined by the base transition officer concerned to best meet the needs of the military and members of the armed forces, to receive advising, student support services, and education pursuant to this section.

''(c) DEFINITIONS.—In this section:

''(1) The term 'Department of Defense educational assistance programs and authorities' has the meaning given the term 'Department of Defense educational assistance programs and authorities covered by this section' in section 2006a(c)(1) of this title.

''(2) The term 'institution of higher education' has the meaning given that term in section 2006a(c)(2) of this title.

''(3) The term 'Voluntary Education Partnership Memorandum of Understanding' has the meaning given that term in Department of Defense Instruction 1322.25, entitled 'Voluntary Education Programs', or any successor Department of Defense Instruction.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the item relating to section 2012 the following new item:

''2012a. Access to Department of Defense installations: institutions of higher education providing certain advising and student support services.''.

SA 4462. Ms. HEITKAMP (for herself and 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. NORTHERN BORDER THREAT ANALYSIS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on the Judiciary of the Senate;

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

(E) the Committee on Homeland Security of the House of Representatives;

(F) the Committee on Appropriations of the House of Representatives;

(G) the Committee on the Judiciary of the House of Representatives; and

(H) the Committee on Armed Services of the House of Representatives.

(2) NORTHERN BORDER.—The term ''Northern Border'' means the land and maritime borders between the United States and Canada.

(b) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the appropriate congressional committees a Northern Border threat analysis that includes—

(1) current and potential terrorism and criminal threats posed by individuals and organized groups seeking—

(A) to enter the United States through the Northern Border; or

(B) to exploit border vulnerabilities on the Northern Border;

(2) improvements needed at and between ports of entry along the Northern Border—

(A) to prevent terrorists and instruments of terrorism from entering the United States; and

(B) to reduce criminal activity, as measured by the total flow of illegal goods, illicit drugs, and smuggled and trafficked persons moved in either direction across to the Northern Border;

(3) gaps in law, policy, cooperation between State, tribal, and local law enforcement, international agreements, or tribal agreements that hinder effective and efficient border security, counter-terrorism, anti-human smuggling and trafficking efforts, and the flow of legitimate trade along the Northern Border; and

(4) whether additional U.S. Customs and Border Protection preclearance and preinspection operations at ports of entry along the Northern Border could help prevent terrorists and instruments of terror from entering the United States.

(c) ANALYSIS REQUIREMENTS.—For the threat analysis required under subsection (b), the Secretary of Homeland Security shall consider and examine—

(1) technology needs and challenges;

(2) personnel needs and challenges;

(3) the role of State, tribal, and local law enforcement in general border security activities;

(4) the need for cooperation among Federal, State, tribal, local, and Canadian law enforcement entities relating to border security;

(5) the terrain, population density, and climate along the Northern Border; and

(6) the needs and challenges of Department of Homeland Security facilities, including the physical approaches to such facilities.

(d) CLASSIFIED THREAT ANALYSIS.—To the extent possible, the Secretary of Homeland Security shall submit the threat analysis required under subsection (b) in unclassified form. The Secretary may submit a portion of the threat analysis in classified form if the Secretary determines that such form is appropriate for that portion.

SA 4463. Mr. SCHUMER 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 I, add the following:

SEC. 128. TESTING AND INTEGRATION OF MINEHUNTING SONARS FOR LITORAL COMBAT SHIP MINE HUNTING CAPABILITIES.

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

(1) The Department of the Navy has determined that the Remote Minehunting system (RMS) has not performed satisfactorily and that the program will be restructured to accelerate a less capable variant on the RMS into the Littoral Combat Ship.

(2) On February 26, 2016, Secretary of the Navy Ray Mabus stated that new testing must be done to find a permanent solution to the mine countermeasures mission package and that the Navy wants to ''get it out there as quickly as you can and test it in a more realistic environment''.

(3) Restructuring a program the Department of the Navy has determined will be discontinued is not the best use of taxpayer dollars.

(4) There are several mature unmanned surface vehicle-towed and unmanned underwater vehicle-based synthetic aperture sonars sensors (SAS) in use by navies of allied nations.

(5) SAS sensors are currently in operation and performing well.

(6) SAS sensors provide a technology that is operational and ready to meet the Littoral Combat Ship minehunting area clearance rate sustained requirement.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than September 30, 2018, the Secretary of the Navy shall—

(A) conduct operational at-sea testing and experimentation of those currently available and deployed United States and allied conventional side-scan sonar and synthetic aperture sonar;

(B) complete an assessment of all minehunting sonar technologies that can meet the mine countermeasures mission package (MCM MP); and

(C) submit to the congressional defense committees a report that contains the findings of the at-sea testing and experimentation and market survey of all capable technologies found suitable for performing the Littoral Combat Ship minehunting mission.

(2) ELEMENTS.—The market survey and assessment required under paragraph (1) shall include—

(A) specific details regarding the capabilities of current minehunting sonar and in-production synthetic aperture sonar sensors available for integration on the Littoral Combat Ship;

(B) an assessment of the capabilities achieved by integrating synthetic aperture sonar sensors on the Littoral Combat Ship; and

(C) recommendations to enhance the minehunting capabilities of the Littoral Combat Ship minehunting mission using conventional sonar systems and synthetic aperture sonar systems.

(c) ASSESSMENT REQUIRED.—The Secretary of the Navy shall perform at-sea testing of conventional side-scan sonar systems and synthetic aperture sonar systems to determine which systems can meet the requirements of the Navy minehunting countermeasure mission package.

(d) SONAR SYSTEM DEFINED.—In this section, the term ''sonar system'' includes, at a minimum, conventional side-scan sonar technologies and synthetic aperture sonar technologies.

SA 4464. Mr. JOHNSON 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 1027 and insert the following:

SEC. 1027. UNCLASSIFIED NOTICE AND MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED STATES AND THE FOREIGN COUNTRY OR ENTITY CONCERNED BEFORE TRANSFER OF ANY DETAINEE AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO A FOREIGN COUNTRY OR ENTITY.

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

(1) The detention facilities at United States Naval Station, Guantanamo Bay, Cuba, were established in 2002 for the purpose of detaining those who plan, authorize, commit, or aid in the planning, authorizing, or committing of acts of terrorism against the United States.

(2) The facilities have detained individuals who have killed, maimed, or otherwise harmed innocent civilians and members of the United States Armed Forces, as well as combatants who have received specialized training in the conduct and facilitation of acts of terrorism against the United States, its citizens, and its allies. This includes 9/11 mastermind Khalid Sheik Mohammed and scores of other known terrorists.

(3) The location of the detention facilities at Guantanamo Bay protects the United States, its citizens, and its allies. No prisoner has ever escaped from Guantanamo Bay.

(4) On January 22, 2009, President Barack Obama issued Executive Order 13492 ordering the closure of the detention facilities at Guantanamo Bay, consistent with the national security and foreign policy interests of the United States and the interests of justice.

(5) Executive Order 13492 directs the Department of State to participate in the review of each detainee to determine whether it is possible to transfer or release the individual consistent with the national security and foreign policy interests of the United States.

(6) The Secretary of State is ordered to expeditiously pursue and direct negotiations and diplomatic efforts with foreign governments as are necessary and appropriate to implement Executive Order 13492.

(7) Since 2009, the Department of State has played a substantial role in the review and transfer of enemy combatants from the jurisdiction of the United States to the custody or control of foreign governments through the appointment of a Special Envoy for Guantanamo Closure.

(8) President Obama has released numerous detainees from Guantanamo Bay since taking office, some of whom are known or suspected to have reengaged in terrorist activity.

(9) The transfer of individuals from Guantanamo Bay to foreign countries sharply increased from 2014 to 2016, bringing the number of detainees remaining at Guantanamo Bay to less than 100.

(10) The administration often transfers detainees to countries in close proximity to their countries of origin. In some cases, prisoners have been relocated within blocks of United States diplomatic facilities located in countries with governments that have publicly stated no intention to monitor or restrict travel of potentially dangerous former detainees or that otherwise lack the capacity to mitigate threat potential.

(11) The administration is required to notify Congress of its intent to transfer individuals detained at Guantanamo pursuant to section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) and certify that among other things, the foreign country to which the individual is proposed to be transferred has taken or agreed to take appropriate steps to substantially mitigate any risk the individual could attempt to reengage in terrorist activity or otherwise threaten the United States or its allies or interests.

(12) While not required by law, the administration has classified these notifications so that only a small number of individuals are able to know their contents.

(13) The information contained in such a notice does not warrant classification, given that third-party nations and the detainees themselves possess such information.

(14) The decision to classify the notice and certification results in a process that is not transparent, thereby preventing the American public from knowing pertinent information about the release of these individuals.

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

(1) the people of the United States deserve to know who is being released from the detention facilities at United States Naval Station, Guantanamo Bay, Cuba, their countries of origin, their destinations, and the ability of the host nation to prevent recidivism; and

(2) the people of the United States deserve transparency in the manner in which the Obama Administration complies with Executive Order 13492.

(c) NOTICE REQUIRED.—Not less than 30 days prior to the transfer of any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the appropriate committees of Congress an unclassified notice that includes—

(1) the name, country of origin, and country of destination of the individual;

(2) the number of individuals detained at Guantanamo previously transferred to the

country to which the individual is proposed to be transferred; and

(3) the number of such individuals who are known or suspected to have reengaged in terrorist activity after being transferred to that country.

(d) BRIEFING.—The Secretary of Defense shall brief the appropriate committees of Congress within 5 days of transmitting the notice required by subsection (c). Such briefing shall include an explanation of why the destination country was chosen for the transferee and an overview of countries being considered for future transfers.

(e) MEMORANDUM OF UNDERSTANDING.—Section 1034(b) of the National Defense Authorization Act for Fiscal Year 2016 (129 Stat. 969; 10 U.S.C. 801 note) is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph (4):

''(4) both—

''(A) the United States Government, on the one hand, and the government of the foreign country or the recognized leadership of the foreign entity, on the other hand, have entered into a written memorandum of understanding (MOU) regarding the transfer of the individual; and

''(B) the memorandum of understanding—

''(i) has been transmitted to the appropriate committees of Congress in unclassified form (unless the Secretary determines that the memorandum of understanding must be transmitted to the appropriate committees of Congress in classified form and, upon making such determination, submits to Congress a detailed unclassified report explaining why the memorandum of understanding is being kept classified); and

''(ii) includes an assessment of the capacity, willingness, and past practices (if applicable) of the foreign country or foreign entity, as the case may be, with respect to the matters certified by the Secretary pursuant to paragraphs (2) and (3) that has been transmitted to the appropriate committee of Congress in unclassified form (unless the Secretary determines that the assessment must be transmitted to the appropriate committees of Congress in classified form and, upon making such determination, submits to Congress a detailed unclassified report explaining why the assessment is being kept classified); and''.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to be inconsistent with the requirements of section 1034 of the National Defense Authorization Act for Fiscal Year 2016.

(g) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

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

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

(2) The term ''individual detained at Guantanamo'' has the meaning given such term in section 1034(f)(2) of the National Defense Authorization Act for Fiscal Year 2016.

SA 4465. Mr. JOHNSON 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. CRITICAL INFRASTRUCTURE PROTECTION ACT.

(a) SHORT TITLE.—This section may be cited as the ''Critical Infrastructure Protection Act of 2016'' or the ''CIPA''.

(b) EMP AND GMD PLANNING, RESEARCH AND DEVELOPMENT, AND PROTECTION AND PREPAREDNESS.—

(1) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(A) in section 2 (6 U.S.C. 101)—

(i) by redesignating paragraphs (9) through (18) as paragraphs (11) through (20), respectively;

(ii) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively;

(iii) by inserting after paragraph (6) the following:

''(7) The term 'EMP' means an electromagnetic pulse caused by a nuclear device or nonnuclear device, including such a pulse caused by an act of terrorism.''; and

(iv) by inserting after paragraph (9), as so redesignated, the following:

''(10) The term 'GMD' means a geomagnetic disturbance caused by a solar storm or another naturally occurring phenomenon.'';

(B) in section 201(d) (6 U.S.C. 121(d)), by adding at the end the following:

''(26)(A) To conduct an intelligence-based review and comparison of the risk and consequence of threats and hazards, including GMD and EMP, facing critical infrastructures, and prepare and submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives—

''(i) a recommended strategy to protect and prepare the critical infrastructure of the American homeland against threats of EMP and GMD, including from acts of terrorism; and

''(ii) not less frequently than every 2 years, updates of the recommended strategy.

''(B) The recommended strategy under subparagraph (A) shall—

''(i) be based on findings of the research and development conducted under section 319;

''(ii) be developed in consultation with the relevant Federal sector-specific agencies (as defined under Presidential Policy Directive–21) for critical infrastructures;

''(iii) be developed in consultation with the relevant sector coordinating councils for critical infrastructures;

''(iv) be informed, to the extent practicable, by the findings of the intelligence-based review and comparison of the risk and consequence of threats and hazards, including GMD and EMP, facing critical infrastructures conducted under subparagraph (A); and

''(v) be submitted in unclassified form, but may include a classified annex.

''(C) The Secretary may, if appropriate, incorporate the recommended strategy into a broader recommendation developed by the Department to help protect and prepare critical infrastructure from terrorism, cyber attacks, and other threats and hazards if, as incorporated, the recommended strategy complies with subparagraph (B).'';

(C) in title III (6 U.S.C. 181 et seq.), by adding at the end the following:

''SEC. 319. GMD AND EMP MITIGATION RESEARCH AND DEVELOPMENT.

''(a) IN GENERAL.—In furtherance of domestic preparedness and response, the Secretary, acting through the Under Secretary for Science and Technology, and in consultation with other relevant executive agencies and relevant owners and operators of critical infrastructure, shall, to the extent practicable, conduct research and development to mitigate the consequences of threats of EMP and GMD.

''(b) SCOPE.—The scope of the research and development under subsection (a) shall include the following:

''(1) An objective scientific analysis—

''(A) evaluating the risks to critical infrastructures from a range of threats of EMP and GMD; and

''(B) which shall—

''(i) be conducted in conjunction with the Office of Intelligence and Analysis; and

''(ii) include a review and comparison of the range of threats and hazards facing critical infrastructure of the electric grid.

''(2) Determination of the critical utilities and national security assets and infrastructures that are at risk from threats of EMP and GMD.

''(3) An evaluation of emergency planning and response technologies that would address the findings and recommendations of experts, including those of the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack, which shall include a review of the feasibility of—

''(A) rapidly isolating 1 or more portions of the electrical grid from the main electrical grid; and

''(B) training utility and transmission operators to deactivate transmission lines within seconds of an event constituting a threat of EMP or GMD.

''(4) An analysis of technology options that are available to improve the resiliency of critical infrastructure to threats of EMP and GMD, which shall include an analysis of neutral current blocking devices that may protect high-voltage transmission lines.

''(5) The restoration and recovery capabilities of critical infrastructure under differing levels of damage and disruption from various threats of EMP and GMD, as informed by the objective scientific analysis conducted under paragraph (1).

''(6) An analysis of the feasibility of a real-time alert system to inform electric grid operators and other stakeholders within milliseconds of a high-altitude nuclear explosion.''; and

(D) in title V (6 U.S.C. 311 et seq.), by adding at the end the following:

''SEC. 527. NATIONAL PLANNING AND EDUCATION.

''(a) IN GENERAL.—The Secretary shall, to the extent practicable—

''(1) develop an incident annex or similar response and planning strategy that guides the response to a major GMD or EMP event; and

''(2) conduct outreach to educate owners and operators of critical infrastructure, emergency planners, and emergency response providers at all levels of government regarding threats of EMP and GMD.

''(b) EXISTING ANNEXES AND PLANS.—The incident annex or response and planning strategy developed under subsection (a)(1) may be incorporated into existing incident annexes or response plans.''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended—

(i) by inserting after the item relating to section 317 the following:

''Sec. 319. GMD and EMP mitigation research and development.''; and

(ii) by inserting after the item relating to section 525 the following:

''Sec. 526. Integrated Public Alert and Warning System modernization.

''Sec. 527. National planning and education.''.

(B) Section 501(13) of the Homeland Security Act of 2002 (6 U.S.C. 311(13)) is amended by striking ''section 2(11)(B)'' and inserting ''section 2(13)(B)''.

(C) Section 712(a) of title 14, United States Code, is amended by striking ''section 2(16) of the Homeland Security Act of 2002 (6 U.S.C. 101(16))'' and inserting ''section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101)''.

(3) DEADLINE FOR INITIAL RECOMMENDED STRATEGY.—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security shall submit the recommended strategy required under paragraph (26) of section 201(d) of the Homeland Security Act of 2002 (6 U.S.C. 121(d)), as added by this section.

(4) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to Congress a report describing the progress made in, and an estimated date by which the Department of Homeland Security will have completed—

(A) including threats of EMP and GMD (as those terms are defined in section 2 of the Homeland Security Act of 2002, as amended by this section) in national planning, as described in section 527 of the Homeland Security Act of 2002, as added by this section;

(B) research and development described in section 319 of the Homeland Security Act of 2002, as added by this section;

(C) development of the recommended strategy required under paragraph (26) of section 201(d) of the Homeland Security Act of 2002 (6 U.S.C. 121(d)), as added by this section; and

(D) beginning to conduct outreach to educate emergency planners and emergency response providers at all levels of government regarding threats of EMP and GMD events.

(c) NO REGULATORY AUTHORITY.—Nothing in this section, including the amendments made by this section, shall be construed to grant any regulatory authority.

(d) NO NEW AUTHORIZATION OF APPROPRIATIONS.—This section, including the amendments made by this section, may be carried out only by using funds appropriated under the authority of other laws.

SA 4466. Mr. JOHNSON 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 XII, add the following:

SEC. 1236. ANNUALLY UPDATED ASSESSMENTS ON FUNDING OF POLITICAL PARTIES AND NONGOVERNMENTAL ORGANIZATIONS BY THE RUSSIAN FEDERATION.

Section 502 of the Intelligence Authorization Act for Fiscal Year 2016 (division M of Public Law 114–113; 29 Stat. 2924) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respsectively;

(2) in subsection (c), as redesignated by paragraph (1), by inserting ''and each update required by subsection (b)'' after ''subsection (a)''; and

(3) by inserting after subsection (a), the following:

''(b) ANNUAL UPDATE.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, and annually thereafter, the Director of National Intelligence shall submit to the appropriate congressional committees an update of the assessment required by subsection (a).''.

SA 4467. Mr. JOHNSON 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. PUBLICATION OF INFORMATION ON PROVISION OF HEALTH CARE BY DEPARTMENT OF VETERANS AFFAIRS AND ABUSE OF OPIOIDS BY VETERANS.

(a) PUBLICATION OF INFORMATION.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than once every 180 days thereafter, the Secretary of Veterans Affairs shall publish on a publicly available Internet website of the Department of Veterans Affairs information on the provision of health care by the Department and the abuse of opioids by veterans.

(b) ELEMENTS.—

(1) HEALTH CARE.—

(A) IN GENERAL.—Each publication required by subsection (a) shall include, with respect to each medical facility of the Department during the 180-day period preceding such publication, the following:

(i) The average number of patients seen per month by each primary care physician.

(ii) The average length of stay for inpatient care.

(iii) A description of any hospital-acquired condition acquired by a patient.

(iv) The rate of readmission of patients within 30 days of release.

(v) The rate at which opioids are prescribed to each patient.

(vi) The average wait time for emergency room treatment.

(vii) A description of any scheduling backlog with respect to patient appointments.

(B) ADDITIONAL ELEMENTS.—The Secretary may include in each publication required by subsection (a) such additional information on the safety of medical facilities of the Department, health outcomes at such facilities, and quality of care at such facilities as the Secretary considers appropriate.

(C) SEARCHABILITY.—The Secretary shall ensure that information described in subparagraph (A) that is included on the Internet website required by subsection (a) is searchable by State, city, and facility.

(2) OPIOID ABUSE BY VETERANS.—Each publication required by subsection (a) shall include, for the 180-day period preceding such publication, the following information:

(A) The number of veterans prescribed opioids by health care providers of the Department.

(B) A comprehensive list of all facilities of the Department offering an opioid treatment program, including details on the types of services available at each facility.

(C) The number of veterans treated by a health care provider of the Department for opioid abuse.

(D) Of the veterans described in subparagraph (C), the number treated for opioid abuse in conjunction with posttraumic stress disorder, depression, or anxiety.

(E) With respect to veterans receiving treatment for opioid abuse—

(i) the average number of times veterans reported abusing opioids before beginning such treatment; and

(ii) the main reasons reported to the Department by veterans as to how they came to receive such treatment, including self-referral or recommendation by a physician or family member.

(c) PERSONAL INFORMATION.—The Secretary shall ensure that personal information connected to information published under subsection (a) is protected from disclosure as required by applicable law.

(d) COMPTROLLER GENERAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report setting forth recommendations for additional elements to be included with the information published under subsection (a) to improve the evaluation and assessment of the safety and health of individuals receiving health care under the laws administered by the Secretary and the quality of health care received by such individuals.

SA 4468. Mr. JOHNSON 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, add the following:

DIVISION F—WHISTLEBLOWER PROTECTIONS

SEC. 6001. SHORT TITLE.

This division may be cited as the ''Dr. Chris Kirkpatrick Whistleblower Protection Act of 2016''.

TITLE LXI—EMPLOYEES GENERALLY

SEC. 6101. DEFINITIONS.

In this title—

(1) the terms ''agency'' and ''personnel action'' have the meanings given such terms under section 2302 of title 5, United States Code; and

(2) the term ''employee'' means an employee (as defined in section 2105 of title 5, United States Code) of an agency.

SEC. 6102. STAYS; PROBATIONARY EMPLOYEES.

(a) REQUEST BY SPECIAL COUNSEL.—Section 1214(b)(1) of title 5, United States Code, is amended by adding at the end the following:

''(E) If the Merit Systems Protections Board grants a stay under this subsection, the head of the agency employing the employee shall give priority to a request for a transfer submitted by the employee.''.

(b) INDIVIDUAL RIGHT OF ACTION FOR PROBATIONARY EMPLOYEES.—Section 1221 of title 5, United States Code, is amended by adding at the end the following:

''(k) If the Merit Systems Protection Board grants a stay to an employee in probationary status under subsection (c), the head of the agency employing the employee shall give priority to a request for a transfer submitted by the employee.''.

(c) STUDY REGARDING RETALIATION AGAINST PROBATIONARY EMPLOYEES.—The Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report discussing retaliation against employees in probationary status.

SEC. 6103. ADEQUATE ACCESS OF SPECIAL COUNSEL TO INFORMATION.

Section 1212(b) of title 5, United States Code, is amended by adding at the end the following:

''(5) The Special Counsel, in carrying out this subchapter, is authorized to—

''(A) have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material available to the applicable agency which relate to a matter within the jurisdiction or authority of the Special Counsel; and

''(B) request from any agency such information or assistance as may be necessary for carrying out the duties and responsibilities of the Special Counsel under this subchapter.''.

SEC. 6104. PROHIBITED PERSONNEL PRACTICES.

Section 2302(b) of title 5, United States Code, is amended—

(1) in paragraph (12), by striking ''or'' at the end;

(2) in paragraph (13), by striking the period at the end and inserting ''; or''; and

(3) by inserting after paragraph (13) the following:

''(14) access the medical record of another employee for the purpose of retaliation for a disclosure or activity protected under paragraph (8) or (9).''.

SEC. 6105. DISCIPLINE OF SUPERVISORS BASED ON RETALIATION AGAINST WHISTLEBLOWERS.

(a) IN GENERAL.—Subchapter II of chapter 75 of title 5, United States Code, is amended by adding at the end the following:

''§ 7515. Discipline of supervisors based on retaliation against whistleblowers

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency' means an entity that is an agency, as defined under section 2302, without regard to whether any other provision of this chapter is applicable to the entity;

''(2) the term 'prohibited personnel action' means taking or failing to take an action in violation of paragraph (8), (9), or (14) of section 2302(b) against an employee of an agency; and

''(3) the term 'supervisor' means an employee of an agency who would be a supervisor, as defined under section 7103(a), if this chapter applied to the agency employing the employee.

''(b) PROPOSED ADVERSE ACTIONS.—

''(1) IN GENERAL.—In accordance with paragraph (2), the head of an agency shall propose against a supervisor whom the head of that agency, an administrative law judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or the Inspector General of the agency determines committed a prohibited personnel action the following adverse actions:

''(A) With respect to the first prohibited personnel action, an adverse action that is not less than a 12-day suspension.

''(B) With respect to the second prohibited personnel action, removal.

''(2) PROCEDURES.—

''(A) NOTICE.—A supervisor against whom an adverse action under paragraph (1) is proposed is entitled to written notice.

''(B) ANSWER AND EVIDENCE.—

''(i) IN GENERAL.—A supervisor who is notified under subparagraph (A) that the supervisor is the subject of a proposed adverse action under paragraph (1) is entitled to 14 days following such notification to answer and furnish evidence in support of the answer.

''(ii) NO EVIDENCE.—After the end of the 14-day period described in clause (i), if a supervisor does not furnish evidence as described in clause (i) or if the head of the agency determines that such evidence is not sufficient to reverse the proposed adverse action, the head of the agency shall carry out the adverse action.

''(C) SCOPE OF PROCEDURES.—Paragraphs (1) and (2) of subsection (b) of section 7513, subsection (c) of such section, paragraphs (1) and (2) of subsection (b) of section 7543, and subsection (c) of such section shall not apply with respect to an adverse action carried out under this subsection.

''(c) LIMITATION ON OTHER ADVERSE ACTIONS.—With respect to a prohibited personnel action, if the head of the agency carries out an adverse action against a supervisor under another provision of law, the head of the agency may carry out an additional adverse action under this section based on the same prohibited personnel action.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 75 of title 5, United States Code, is amended by adding at the end the following:

''7515. Discipline of supervisors based on retaliation against whistleblowers.''.

SEC. 6106. SUICIDE BY EMPLOYEES.

(a) REFERRAL.—The head of an agency shall refer to the Office of Special Counsel, along with any information known to the agency regarding the circumstances described in paragraphs (2) and (3), any instance in which the head of the agency has information indicating—

(1) an employee of the agency committed suicide;

(2) prior to the death of the employee, the employee made any disclosure of information which reasonably evidences—

(A) any violation of any law, rule, or regulation; or

(B) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; and

(3) after a disclosure described in paragraph (2), a personnel action was taken against the employee.

(b) OFFICE OF SPECIAL COUNSEL REVIEW.—For any referral to the Office of Special Counsel under subsection (a), the Office of Special Counsel shall—

(1) examine whether any personnel action was taken because of any disclosure of information described in subsection (a)(2); and

(2) take any action the Office of Special Counsel determines appropriate under subchapter II of chapter 12 of title 5, United States Code.

SEC. 6107. TRAINING FOR SUPERVISORS.

In consultation with the Office of Special Counsel and the Inspector General of the agency (or senior ethics official of the agency for an agency without an Inspector General), the head of each agency shall provide training regarding how to respond to complaints alleging a violation of whistleblower protections (as defined in section 2307 of title 5, United States Code, as added by this title) available to employees of the agency—

(1) to employees appointed to supervisory positions in the agency who have not previously served as a supervisor; and

(2) on an annual basis, to all employees of the agency serving in a supervisory position.

SEC. 6108. INFORMATION ON WHISTLEBLOWER PROTECTIONS.

(a) EXISTING PROVISION.—

(1) IN GENERAL.—Section 2302 of title 5, United States Code, is amended—

(A) by striking subsection (c); and

(B) by redesignating subsections (d), (e), and (f) as subsections (c), (d), and (e), respectively.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) Section 4505a(b)(2) of title 5, United States Code, is amended by striking ''section 2302(d)'' and inserting ''section 2302(c)''.

(B) Section 5755(b)(2) of title 5, United States Code, is amended by striking ''section 2302(d)'' and inserting ''section 2302(c)''.

(C) Section 110(b)(2) of the Whistleblower Protection Enhancement Act of 2012 (5 U.S.C. 2302 note) is amended by striking ''section 2303(f)(1) or (2)'' and inserting ''section 2303(e)(1) or (2)''.

(D) Section 704 of the Homeland Security Act of 2002 (6 U.S.C. 344) is amended by striking ''2302(c)'' each place it appears and inserting ''2307''.

(E) Section 1217(d)(3) of the Panama Canal Act of 1979 (22 U.S.C. 3657(d)(3)) is amended by striking ''section 2302(d)'' and inserting ''section 2302(c)''.

(F) Section 1233(b) of the Panama Canal Act of 1979 (22 U.S.C. 3673(b)) is amended by striking ''section 2302(d)'' and inserting ''section 2302(c)''.

(b) PROVISION OF INFORMATION.—Chapter 23 of title 5, United States Code, is amended by adding at the end the following:

''§ 2307. Information on whistleblower protections

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency' has the meaning given that term in section 2302;

''(2) the term 'new employee' means an individual—

''(A) appointed to a position as an employee of an agency on or after the date of enactment of the Dr. Chris Kirkpatrick Whistleblower Protection Act of 2016; and

''(B) who has not previously served as an employee; and

''(3) the term 'whistleblower protections' means the protections against and remedies for a prohibited personnel practice described in paragraph (8), subparagraph (A)(i), (B), (C), or (D) of paragraph (9), or paragraph (14) of section 2302(b).

''(b) RESPONSIBILITIES OF HEAD OF AGENCY.—The head of each agency shall be responsible for the prevention of prohibited personnel practices, for the compliance with and enforcement of applicable civil service laws, rules, and regulations, and other aspects of personnel management, and for ensuring (in consultation with the Special Counsel and the Inspector General of the agency) that employees of the agency are informed of the rights and remedies available to them under this chapter and chapter 12, including—

''(1) information regarding whistleblower protections available to new employees during the probationary period;

''(2) the role of the Office of Special Counsel and the Merit Systems Protection Board with regard to whistleblower protections; and

''(3) how to make a lawful disclosure of information that is specifically required by law or Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs to the Special Counsel, the Inspector General of an agency, Congress, or other agency employee designated to receive such disclosures.

''(c) TIMING.—The head of each agency shall ensure that the information required to be provided under subsection (b) is provided to each new employee of the agency not later than 6 months after the date the new employee is appointed.

''(d) INFORMATION ONLINE.—The head of each agency shall make available information regarding whistleblower protections applicable to employees of the agency on the public website of the agency, and on any online portal that is made available only to employees of the agency if one exists.

''(e) DELEGEES.—Any employee to whom the head of an agency delegates authority

for personnel management, or for any aspect thereof, shall, within the limits of the scope of the delegation, be responsible for the activities described in subsection (b).''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 23 of title 5, United States Code, is amended by adding at the end the following:

''2307. Information on whistleblower protections.''.

TITLE LXII—DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES

SEC. 6201. PREVENTION OF UNAUTHORIZED ACCESS TO MEDICAL RECORDS OF EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) DEVELOPMENT OF PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(A) develop a plan to prevent access to the medical records of employees of the Department of Veterans Affairs by employees of the Department who are not authorized to access such records;

(B) submit to the appropriate committees of Congress the plan developed under subparagraph (A); and

(C) upon request, provide a briefing to the appropriate committees of Congress with respect to the plan developed under subparagraph (A).

(2) ELEMENTS.—The plan required under paragraph (1) shall include the following:

(A) A detailed assessment of strategic goals of the Department for the prevention of unauthorized access to the medical records of employees of the Department.

(B) A list of circumstances in which an employee of the Department who is not a health care provider or an assistant to a health care provider would be authorized to access the medical records of another employee of the Department.

(C) Steps that the Secretary will take to acquire new or implement existing technology to prevent an employee of the Department from accessing the medical records of another employee of the Department without a specific need to access such records.

(D) Steps the Secretary will take, including plans to issue new regulations, as necessary, to ensure that an employee of the Department may not access the medical records of another employee of the Department for the purpose of retrieving demographic information if that demographic information is available to the employee in another location or through another format.

(E) A proposed timetable for the implementation of such plan.

(F) An estimate of the costs associated with implementing such plan.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Homeland Security and Governmental Affairs and the Committee on Veterans' Affairs of the Senate; and

(2) the Committee on Oversight and Government Reform and the Committee on Veterans' Affairs of the House of Representatives.

SEC. 6202. OUTREACH ON AVAILABILITY OF MENTAL HEALTH SERVICES AVAILABLE TO EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs shall conduct a program of outreach to employees of the Department of Veterans Affairs to inform those employees of any mental health services, including telemedicine options, that are available to them.

SEC. 6203. PROTOCOLS TO ADDRESS THREATS AGAINST EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs shall ensure protocols are in effect to address threats from individuals receiving health care from the Department of Veterans Affairs directed towards employees of the Department who are providing such health care.

SEC. 6204. COMPTROLLER GENERAL OF THE UNITED STATES STUDY ON ACCOUNTABILITY OF CHIEFS OF POLICE OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTERS.

The Comptroller General of the United States shall conduct a study to assess the reporting, staffing, accountability, and chain of command structure of the Department of Veterans Affairs police officers at medical centers of the Department.

SA 4469. Mr. JOHNSON 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 XII, add the following:

SEC. 1236. SENSE OF THE SENATE REGARDING THE EUROPEAN UNION RENEWING ECONOMIC SANCTIONS ON RUSSIA AS A RESULT OF RUSSIA'S ANNEXATION OF CRIMEA AND ACTIONS DESTABILIZING EASTERN UKRAINE.

(a) FINDINGS.—The Senate makes the following findings:

(1) In July 2014, the European Union imposed economic sanctions against Russia for its annexation of Crimea and destabilizing machinations in the Donbass and Luhansk regions in eastern Ukraine.

(2) In September 2014, the European Union renewed its sanctions against Russia.

(3) In March 2015, the European Council linked the continuation of economic restrictions against Russia to the complete implementation of the Minsk agreements.

(4) The Minsk-2 agreement signed in February 2015 by Russia, Ukraine, France, and Germany has not been implemented.

(b) SENSE OF THE SENATE.—The Senate calls upon the European Union to renew sanctions imposed on Russia as a result of its destabilizing actions in Ukraine if Russia has still not abided by its commitments under the Minsk-2 agreement by the time the European Union conducts its review of its economic sanctions on Russia.

SA 4470. Mr. PETERS (for himself and 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 D of title XII, add the following:

SEC. 1227. AUTHORITY TO PROVIDE ASSISTANCE AND TRAINING TO INCREASE MARITIME SECURITY AND DOMAIN AWARENESS OF FOREIGN COUNTRIES BORDERING THE PERSIAN GULF, ARABIAN SEA, OR MEDITERRANEAN SEA.

(a) PURPOSE.—The purpose of this section is to authorize assistance and training to increase maritime security and domain awareness of foreign countries bordering the Persian Gulf, the Arabian Sea, or the Mediterranean Sea in order to deter and counter illicit smuggling and related maritime activity by Iran, including illicit Iranian weapons shipments.

(b) AUTHORITY.—

(1) IN GENERAL.—To carry out the purpose of this section as described in subsection (a), the Secretary of Defense, with the concurrence of the Secretary of State, is authorized—

(A) to provide training to the national military or other security forces of Israel, Bahrain, Saudi Arabia, the United Arab Emirates, Oman, Kuwait, and Qatar that have among their functional responsibilities maritime security missions; and

(B) to provide training to ministry, agency, and headquarters level organizations for such forces.

(2) DESIGNATION.—The provision of assistance and training under this section may be referred to as the ''Counter Iran Maritime Initiative''.

(c) TYPES OF TRAINING.—

(1) AUTHORIZED ELEMENTS OF TRAINING.—Training provided under subsection (b)(1)(A) may include the provision of de minimis equipment, supplies, and small-scale military construction.

(2) REQUIRED ELEMENTS OF TRAINING.—Training provided under subsection (b) shall include elements that promote the following:

(A) Observance of and respect for human rights and fundamental freedoms.

(B) Respect for legitimate civilian authority within the country to which the assistance is provided.

(d) AVAILABILITY OF FUNDS.—Of the amount authorized to be appropriated for fiscal year 2017 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $50,000,000 shall be available only for the provision of assistance and training under subsection (b).

(e) COST SHARING.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that, given income parity among recipient countries, the Secretary of Defense, with the concurrence of the Secretary of State, should seek, through appropriate bilateral and multilateral arrangements, payments sufficient in amount to offset any training costs associated with implementation of subsection (b).

(2) COST-SHARING AGREEMENT.—The Secretary of Defense, with the concurrence of the Secretary of State, shall negotiate a cost-sharing agreement with a recipient country regarding the cost of any training provided pursuant to section (b). The agreement shall set forth the terms of cost sharing that the Secretary of Defense determines are necessary and appropriate, but such terms shall not be less than 50 percent of the overall cost of the training.

(3) CREDIT TO APPROPRIATIONS.—The portion of such cost-sharing received by the Secretary of Defense pursuant to this subsection may be credited towards appropriations available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301.

(f) NOTICE TO CONGRESS ON TRAINING.—Not later than 15 days before exercising the authority under subsection (b) with respect to a recipient country, the Secretary of Defense shall submit to the appropriate congressional committees a notification containing the following:

(1) An identification of the recipient country.

(2) A detailed justification of the program for the provision of the training concerned, and its relationship to United States security interests.

(3) The budget for the program, including a timetable of planned expenditures of funds

to implement the program, an implementation time-line for the program with milestones (including anticipated delivery schedules for any assistance and training under the program), the military department or component responsible for management of the program, and the anticipated completion date for the program.

(4) A description of the arrangements, if any, to support recipient country sustainment of any capability developed pursuant to the program, and the source of funds to support sustainment efforts and performance outcomes to be achieved under the program beyond its completion date, if applicable.

(5) A description of the program objectives and an assessment framework to be used to develop capability and performance metrics associated with operational outcomes for the recipient force.

(6) Such other matters as the Secretary considers appropriate.

(g) DEFINITION.—In this section, the term ''appropriate congressional committees'' 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.

(h) TERMINATION.—Assistance and training may not be provided under this section after September 30, 2020.

SA 4471. Mr. PETERS (for himself and Ms. STABENOW) 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 MILITARY TRAINING FOR OPERATIONS IN DENSELY POPULATED URBAN TERRAIN.

(a) IN GENERAL.—Not later than March 31, 2017, the Secretary of Defense shall submit to the congressional defense committees a report on plans and initiatives to enhance existing urban training concepts, capabilities, and facilities that could provide for new training opportunities that would more closely resemble large, dense, heavily populated urban environments. The report shall include specific plans and efforts to provide for a realistic environment for the training of large units with joint assets and recently fielded technologies to exercise new tactics, techniques, and procedures, including consideration of anticipated urban military operations in or near the littoral environment and maritime domain as well as the cyber domain.

(b) FORM.—The report required under subsection (a) may be submitted in classified or unclassified form.

SA 4472. Mr. WYDEN (for himself and Mr. MERKLEY) 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 REGARDING REIMBURSEMENT OF LOCAL LAW ENFORCEMENT AGENCIES.

It is the sense of Congress that—

(1) the Federal Government often requests emergency assistance from law enforcement agencies of local governments;

(2) in responding to a request for emergency assistance from the Federal Government, law enforcement agencies of local governments often expend considerable resources;

(3) when the Federal Government requests emergency assistance from law enforcement agencies of local governments, the local governments should be reimbursed for the costs incurred in a timely manner;

(4) the intent of Congress in establishing the Emergency Federal Law Enforcement Assistance Program under subtitle B of the Justice Assistance Act of 1984 (42 U.S.C. 10501 et seq.) was to address law enforcement emergencies that require joint action by Federal and local law enforcement agencies;

(5) this intent is demonstrated by the fact that, under the Emergency Federal Law Enforcement Assistance Program in fiscal year 2013, the Federal Government provided—

(A) $1,918,864 to the State of Massachusetts to assist with law enforcement costs related to the Boston Marathon bombing, which was used to pay overtime costs for law enforcement agencies in the State of Massachusetts that responded to the event; and

(B) $1,011,443 to the State of Missouri to assist with law enforcement costs related to the civil unrest surrounding the death of Michael Brown, which was used to pay overtime costs for law enforcement agencies in the State of Missouri that responded to those events; and

(6) amounts should continue to be made available to fund the Emergency Federal Law Enforcement Assistance Program in order to reimburse local governments and encourage cooperation with the Federal Government.

SA 4473. Mr. WYDEN (for himself and Mr. SANDERS) 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. IMPROVEMENT OF ABILITY OF THE DEPARTMENT OF DEFENSE TO OBTAIN AND MAINTAIN CLEAN AUDIT OPINIONS.

(a) FINANCIAL AUDIT FUND.—The Secretary of Defense shall establish a fund to be known as the ''Financial Audit Fund'' (in this section referred to as the ''Fund'') for the purpose of developing systems, processes, and a well-qualified workforce that will assist the organizations, components, and elements of the Department of Defense in maintaining unmodified audit opinions.

(b) ELEMENTS.—Amounts in the Fund shall include the following:

(1) Amounts appropriated to the Fund.

(2) Amounts transferred to the Fund under subsection (d).

(3) Any other amounts authorized for transfer or deposit into the Fund by law.

(c) AVAILABILITY.—

(1) IN GENERAL.—Amounts in the Fund shall be available for the following:

(A) Program and activities for the development of systems, processes, and a workforce described in subsection (a) as approved by the Secretary.

(B) Other missions and activities of the Department, as identified by the Secretary, if the Secretary determines that the use of amounts in the Fund for the programs and activities described in subparagraph (A) will not improve efforts to maintain unmodified audit options for organizations, components, and elements of the Department

(2) TRANSFERS FROM FUND.—Amounts in the Fund may be transferred to any other account of the Department in order to fund programs, activities, and missions described in paragraph (1). Any amounts transferred from the Fund to an account shall be merged with amounts in the account to which transferred and shall be available subject to the same terms and conditions as amounts in such account, except that amounts so transferred shall remain available until expended. The authority to transfer amounts under this paragraph is in addition to any other authority of the Secretary to transfer amounts by law.

(3) LIMITATION.—Amounts in the Fund may be transferred under this subsection only to organizations components, and elements of the Department that have previously obtained unmodified audit opinions for use by such organizations components, and elements for purposes specified in paragraph (1).

(d) TRANSFERS TO FUND IN CONNECTION WITH ORGANIZATIONS NOT HAVING ACHIEVED QUALIFIED AUDIT OPINIONS.—

(1) REDUCTION IN AMOUNT AVAILABLE.—Subject to paragraph (2), if during any fiscal year after fiscal year 2019 the Secretary determines that an organization, component, or element of the Department has not achieved a qualified opinion of its statement of budgetary resources for the calender year ending during such fiscal year—

(A) the amount available to such organization, component, or element for the fiscal year in which such determination is made shall be equal to—

(i) the amount otherwise authorized to be appropriated for such organization, component, or element for the fiscal year; minus

(ii) the lesser of—

(I) an amount equal to 0.5 percent of the amount described in clause (i); or

(II) $100,000,000; and

(B) the Secretary shall deposit in the Fund pursuant to subsection (b)(2) all amounts unavailable to organizations, components, and elements of the Department in the fiscal year pursuant to determinations made under subparagraph (A).

(2) INAPPLICABILITY TO AMOUNTS FOR MILITARY PERSONNEL.—Any reduction applicable to an organization, component, or element of the Department under paragraph (1) for a fiscal year shall not apply to amounts, if any, available to such organization, component, or element for the fiscal year for military personnel.

SA 4474. Mr. CASEY (for himself, Mr. INHOFE, Mr. BLUMENTHAL, 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:

On page 1180, strike lines 1 through 5 and insert the following:

(1) in paragraph (1)—

(A) by striking ''fiscal year 2016'' and inserting ''fiscal years 2016 and 2017''; and

(B) by striking ''the Government of Pakistan'' and all that follows and inserting ''any country that the Secretary of Defense, with the concurrence of the Secretary of State, has identified as critical for countering the movement of precursor materials for improvised explosive devices into Syria, Iraq, or Afghanistan.'';

(2) in paragraph (2), by striking ''the Government of Pakistan'' and inserting ''a country'';

(3) in paragraph (3), striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

''(A) listing each country identified pursuant to paragraph (1);

''(B) specifying any funds transferred to another department or agency of the United States Government pursuant to paragraph (2);

''(C) detailing the amount of funds to be used with respect to each country identified pursuant to paragraph (1) and the training, equipment, supplies, and services to be provided to such country using funds specified pursuant to subparagraph (B);

''(D) evaluating the effectiveness of efforts by each country identified pursuant to paragraph (1) to counter the movement of precursor materials for improvised explosive devices; and

''(E) setting forth the overall plan to increase the counter-improvised explosive device capability of each country identified pursuant to paragraph (1).''; and

(4) in paragraph (4), by striking ''December 31, 2016'' and inserting ''December 31, 2017''.

(c) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the United States Government should continue and should increase interagency efforts to disrupt the flow of improvised explosive devices (IED), precursor chemicals, and components into conflict areas such as Syria, Iraq, and Afghanistan;

(2) the Department of Defense has made sizeable investments to attack the network, defeat the device, and facilitate protection of United States forces for many years and throughout the relevant theaters of operation; and

(3) it is essential that the continuing efforts of the United States to counter improvised explosive devices leverage all instruments of national power, including engagement and investment from diplomatic, economic, and law enforcement departments and agencies.

SA 4475. Mr. COTTON 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. COMPLIANCE ENFORCEMENT REGARDING RUSSIAN VIOLATIONS OF THE OPEN SKIES TREATY.

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

(1) According to the President's letter of submittal for the Open Skies Treaty provided to Congress by the Secretary of State on August 12, 1992, it is the purpose of the Open Skies Treaty to promote openness and transparency of military forces and activities and to enhance mutual understanding and confidence by giving States Party a direct role in gathering information about military forces and activities of concern to them.

(2) According to the Department of State's 2016 Compliance Report, the Russian Federation ''continues not to meet its obligations [under the Open Skies Treaty] to allow effective observation of its entire territory, raising serious compliance concerns''.

(3) According to the 2016 Compliance Report, Russian conduct giving rise to compliance concerns has continued since the Open Skies Treaty entered into force in 2002 and worsened in 2010, 2014, and 2015.

(4) According to the 2016 Compliance Report, ongoing efforts by the United States and other States Party to the Open Skies Treaty to address these concerns through dialogue with the Russian Federation ''have not resolved any of the compliance concerns''.

(5) The Russian Federation has engaged in other activities in coordination with, but outside the scope of, the Open Skies Treaty overflights, which are a cause of concern and should be addressed.

(6) It is a generally accepted principle of customary international law that in the event of a material breach of a multilateral treaty by one of its parties, a party specially affected by that breach may invoke it as a ground for suspending the operation of the treaty in whole or in part in the relations between itself and the defaulting state.

(b) STATEMENT OF UNITED STATES POLICY.—It is the policy of the United States that—

(1) restrictions upon the ability of Open Skies Treaty aircraft to overfly all portions of the territory of a State Party impede openness and transparency of military forces and activities and undermine mutual understanding and confidence, especially when coupled with an ongoing refusal to address compliance concerns raised by other States Party subject to such restrictions;

(2) it is essential to the accomplishment of the object and purpose of the Open Skies Treaty that Open Skies Treaty aircraft be able to overfly all portions of the territory of a State Party in a timely and reciprocal manner;

(3) restrictions upon the ability of Open Skies Treaty aircraft to overfly all portions of the territory of the Russian Federation constitute a material breach of the Open Skies Treaty;

(4) in light of the Russian Federation's material breach of the Open Skies Treaty, the United States is legally entitled to suspend the operation of the Open Skies Treaty in whole or in part for so long as the Russian Federation continues to be in material breach of the Open Skies Treaty;

(5) for so long as the Russian Federation remains in noncompliance with the Open Skies Treaty, the United States should—

(A) suspend certification or operation of new sensors for Russian overflights of the United States pursuant to the Open Skies Treaty;

(B) place restrictions upon Russian overflights of the United States in response to Russian restrictions placed upon United States overflights of the Russian Federation; and

(C) use appropriate additional measures to encourage the Russian Federation's return to compliance with the Open Skies Treaty; and

(6) during a period of Open Skies Treaty suspension or curtailment, the Director of National Intelligence, in coordination with the Secretary of State and the Secretary of Defense, shall coordinate with parties to Open Skies Treaty that are not the Russian Federation and Belarus, and fulfill imagery requirements of those parties in a manner relative to that provided by Open Skies Treaty collection.

(c) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter together with the Annual Arms Control and Verification Compliance Report defined in subsection (e), the Secretary of State, with the concurrence of the Secretary of Defense and the Director of National Intelligence, shall submit to the appropriate congressional committees a report that contains the following elements:

(1) A description of all outstanding concerns regarding compliance by the Russian Federation with its obligations under the Open Skies Treaty.

(2) A description of all consistency, counterintelligence, and other intelligence related issues that have arisen over the previous year, including Russian Federation sensor or equipment anomalies, intelligence actives carried out in coordination with Open Skies Treaty overflights, and other intelligence concerns as determined by the Director of National Intelligence.

(3) A description of all compliance dialogue, diplomatic engagement, or other interactions between the United States and the Russian Federation with regard to concerns about actual or potential Russian noncompliance with the Open Skies Treaty, as well as any such dialogue, engagement, or interactions between other Open Skies Treaty parties and the Russian Federation with regard to concerns about Russian actual or potential Russian noncompliance.

(4) A United States strategy for bringing the Russian Federation into full compliance with its obligations under the Open Skies Treaty, including—

(A) an assessment of the tools available to the United States for purposes of enforcing compliance with the Open Skies Treaty, including—

(i) bilateral or multilateral compliance dialogue;

(ii) the imposition of restrictions upon Russian overflights pursuant to the Open Skies Treaty, either by the United States or other States Party; and

(iii) the use of pressures or points of political, economic, or military leverage separate from the Open Skies Treaty.

(B) a description of how United States compliance dialogue with the Russian Federation about the Open Skies Treaty incorporates and integrates the tools described in subparagraph (A); and

(C) an assessment of whether the Russian Federation is expected to return to full compliance with the Open Skies Treaty, and if so, when and under what conditions this is most likely to occur.

(5) An assessment of the benefits the Russian Federation receives from the conduct of Open Skies Treaty overflights over European countries and the United States, including—

(A) The value of such information collection relative to other sources of information available to the Russian Federation; and

(B) A description of the types of United States and European targets over which Russian overflights pursuant to the Open Skies Treaty have flown, how this target set has evolved over the course of the Russian Federation's Open Skies overflights, and how this target set relates to current Russian military doctrine and planning.

(6) An assessment of the intelligence value of Open Skies information to States Party to the Open Skies Treaty, other than the

United States or the Russian Federation, relative to other sources of information available to such States Party, including commercially-available satellite imagery.

(7) The impact of Russian noncompliance with the Open Skies Treaty and other international agreements or commitments relating to arms control, international security, or crisis prevention or stability, including the INF Treaty, the Incidents at Sea Agreement, and the Budapest Memorandum, the Biological Weapons Convention, and the CFE Treaty, upon defense and security planning in and among States Party to the Open Skies Treaty, including members of the North Atlantic Treaty Organization.

(d) FORM OF REPORT.—The report required by subsection (c) shall be submitted in an unclassified form, but may include a classified annex.

(e) DEFINITIONS.—In this section:

(1) ANNUAL ARMS CONTROL AND VERIFICATION COMPLIANCE REPORT.—The term ''Annual Arms Control and Verification Compliance Report'' means the annual Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments report required under section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—The term ''appropriate congressional committees'' means—

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

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

(3) BIOLOGICAL WEAPONS CONVENTION.—The term ''Biological Weapons Convention'' means the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological and Toxin Weapons and on Their Destruction, done at London, Moscow, and Washington April 10, 1972, and entered into force March 26, 1975.

(4) BUDAPEST MEMORANDUM.—The term ''Budapest Memorandum'' means the Memorandum on Security Assurances in Connection with Ukraine's Accession to the Treaty on the Non-Proliferation of Nuclear Weapons, done at Budapest December 5, 1994.

(5) CFE TREATY.—The term ''CFE Treaty'' means the Treaty on Conventional Armed Forces in Europe done at Vienna November 19, 1990, and entered into force November 9, 1992.

(6) 2016 COMPLIANCE REPORT.—The term ''2016 Compliance Report'' means the Report on Adherence to and Compliance With Arms Control, Nonproliferation, and Disarmament Agreements and Commitments published by the United States Department of State on April 11, 2016.

(7) INCIDENTS AT SEA AGREEMENT.—The term ''Incidents at Sea Agreement'' means the Agreement Between the Government of The United States and the Government of The Union of Soviet Socialist Republics on the Prevention of Incidents On and Over the High Seas, done at Moscow on May 25, 1972, and entered into force on May 25, 1972.

(8) INF TREATY.—The term ''INF Treaty'' means the Intermediate-Range Nuclear Forces Treaty, done at Washington December 8, 1987, and entered into force June 1, 1988.

(9) OPEN SKIES TREATY.—The term ''Open Skies Treaty'' means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

SA 4476. Mr. JOHNSON 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 X, add the following:

SEC. 1085. REPORT ON LACK OF PROCESS BY WHICH MEMBERS OF THE ARMED FORCES MAY CARRY APPROPRIATE FIREARMS ON MILITARY INSTALLATIONS.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report that—

(1) describes in detail why the Department of Defense did not meet the December 31, 2015, deadline specified in section 526 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 813; 10 U.S.C. 2672 note) for establishing and implementing a process by which members of the Armed Forces may carry appropriate firearms on military installations; and

(2) sets forth the anticipated date for implementation of that process.

SA 4477. Mr. JOHNSON 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:

Beginning on page 40, strike line 15 and all that follows through ''(d)'' on page 42, line 3, and insert ''(c)''.

SA 4478. Mr. HOEVEN (for himself and Ms. KLOBUCHAR) 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 815, between lines 3 and 4, insert the following:

(3) The use of contract services, if necessary, to ensure that enlisted personnel of the Air National Guard and the Air Force Reserve are trained at a rate commensurate with regular enlisted personnel of the Air Force in achieving the transition required by subsection (a) by the date specified in that subsection.

SA 4479. Mr. INHOFE (for himself and Mr. LANKFORD) 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. AUTHORIZATION FOR USE OF POST-9/11 EDUCATIONAL ASSISTANCE TO PURSUE INDEPENDENT STUDY PROGRAMS AT CERTAIN EDUCATIONAL INSTITUTIONS THAT ARE NOT INSTITUTIONS OF HIGHER LEARNING.

Paragraph (4) of section 3680A(a) of title 38, United States Code, is amended to read as follows:

''(4) any independent study program except an accredited independent study program (including open circuit television) leading—

''(A) to a standard college degree;

''(B) to a certificate that reflects educational attainment offered by an institution of higher learning; or

''(C) to a certificate that reflects completion of a course of study offered by an educational institution that is not an institution of higher learning, such as an area career and technical education school providing education at the postsecondary level.''.

SA 4480. 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 I of title X, add the following:

SEC. 1097. MODIFICATION OF EXCEPTION TO PROHIBITION ON FINANCING OF SALES OF DEFENSE ARTICLES AND DEFENSE SERVICES BY EXPORT-IMPORT BANK OF THE UNITED STATES.

Section 2(b)(6)(I)(i)(I) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(6)(I)(i)(I)) is amended to read as follows:

''(I)(aa) the Bank determines that—

''(AA) the defense articles or services are nonlethal; and

''(BB) the end use of the defense articles or services includes civilian purposes; or

''(bb) the President determines that the transaction is in the national security interest of the United States; and''.

SA 4481. 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 I of title X, add the following:

SEC. 1097. MODIFICATION OF EXCEPTION TO PROHIBITION ON FINANCING OF SALES OF DEFENSE ARTICLES AND DEFENSE SERVICES BY EXPORT-IMPORT BANK OF THE UNITED STATES.

Section 2(b)(6)(I)(i)(I) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(6)(I)(i)(I)) is amended to read as follows:

''(I)(aa) the Bank determines that the end use of the defense articles or services includes civilian purposes; or

''(bb) the President determines that the transaction is in the national security interest of the United States; and''.

SA 4482. Mr. NELSON 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 title XXXV add the following:

SEC. _____. APPLICATION OF LAW.

Section 4301 of title 46, United States Code, is amended by adding at the end the following:

''(d) For purposes of any Federal law, except the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), any vessel, including a foreign vessel, being repaired or dismantled is deemed to be a recreational vessel, as defined under section 2101(25) of this title, during such repair or dismantling, if that vessel—

''(1) shares elements of design and construction of traditional recreational vessels; and

''(2) when operating is not normally engaged in a military, commercial, or traditionally commercial undertaking.''.

SA 4483. Mr. COTTON (for himself, Mr. SASSE, Mr. RUBIO, Mr. RISCH, Mr. BURR, Mr. INHOFE, and Mr. CORNYN) 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 XII, add the following:

SEC. 1236. LIMITATION ON CERTIFICATION OR APPROVAL OF NEW SENSORS FOR USE BY THE RUSSIAN FEDERATION ON OBSERVATION FLIGHTS UNDER THE OPEN SKIES TREATY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

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

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

(2) COVERED STATE PARTY.—The term ''covered state party'' means a foreign country that—

(A) is a state party to the Open Skies Treaty; and

(B) is a United States ally.

(3) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(4) OBSERVATION AIRCRAFT, OBSERVATION FLIGHT, AND SENSOR.—The terms ''observation aircraft'', ''observation flight'', and ''sensor'' have the meanings given such terms in Article II of the Open Skies Treaty.

(5) OPEN SKIES TREATY.—The term ''Open Skies Treaty'' means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

(b) LIMITATION.—None of the funds authorized to be appropriated by this Act may be obligated or expended to aid, support, permit, or facilitate the certification or approval of any new sensor, including to carry out an initial or exhibition observation flight of an observation aircraft, for use by the Russian Federation on observation flights under the Open Skies Treaty unless the President, in consultation with the Secretary of State, the Secretary of Defense, Secretary of Homeland Security, and the Director of National Intelligence, submits to the appropriate committees of Congress the certification described in subsection (c)(1).

(c) CERTIFICATION.—

(1) IN GENERAL.—The certification described in this subsection is a certification for a new sensor referred to in subsection (b) that—

(A) the capabilities of the new sensor do not exceed the capabilities imposed by the Open Skies Treaty, and safeguards are in place to prevent the new sensor, or any information obtained therefrom, from being used in any way not permitted by the Open Skies Treaty;

(B) the Secretary of Defense, the commanders of relevant combatant commands, the directors of relevant elements of the intelligence community, and the Federal Bureau of Investigation have in place mitigation measures with respect to collection against high-value United States assets and critical infrastructure by the new sensor;

(C) each covered state party has been notified and briefed on concerns of the intelligence community regarding upgraded sensors used under the Open Skies Treaty, Russian Federation warfighting doctrine, and intelligence collection in support thereof; and

(D) the Russian Federation is in compliance with all of its obligations under the Open Skies treaty, including the obligation to permit properly-notified covered state party observation flights over all of Moscow, Chechnya, Abkhazia, South Ossetia, and Kaliningrad.

(2) SPECIFIC SENSOR APPROVAL.—The certification described in paragraph (1) shall be required for each sensor and platform for which the Russian Federation has requested approval under to the Open Skies Treaty.

(d) WAIVER AUTHORITY.—

(1) IN GENERAL.—The President may waive the requirements of subparagraph (D) of subsection (c)(1) if, not later than 30 days prior to certifying or approving a new sensor for use by the Russian Federation on observation flights under the Open Skies Treaty, the President submits a certification to the appropriate committees of Congress that the certification or approval of the new sensor is in the national security interest of the United States that includes the following:

(A) A written explanation of the reasons it is in the national security interest of the United States to certify or approve the sensor.

(B) The date that the President expects the Russian Federation to come into full compliance with all of its Open Skies Treaty obligations, including the overflight obligations described in subparagraph (D) of subsection (c)(1).

(C) A detailed description of efforts made by the United States Government to bring the Russian Federation into full compliance with the Open Skies Treaty.

(2) FORM.—Each certification submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SA 4484. Mrs. ERNST (for herself and Mr. JOHNSON) 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. BIODEFENSE STRATEGY.

(a) IN GENERAL.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding at the end the following:

''SEC. 527. NATIONAL BIODEFENSE STRATEGY.

''(a) DEFINITIONS.—In this section—

''(1) the term 'biodefense' means any involvement in mitigating the risks of major biological incidents and public health emergencies to the United States, including with respect to—

''(A) threat awareness;

''(B) prevention and protection;

''(C) surveillance and detection;

''(D) response and recovery; and

''(E) attribution of an intentional biological incident;

''(2) the term 'Council' means the Biodefense Coordination Council established under subsection (b);

''(3) the term 'Federal biodefense enterprise' means the programs, projects, activities, and resources across the Federal Government that are involved in biodefense; and

''(4) the term 'Strategy' means the National Biodefense Strategy required to be established under subsection (b)(5).

''(b) BIODEFENSE COORDINATION COUNCIL.—

''(1) ESTABLISHMENT.—The President shall establish a Biodefense Coordination Council, which shall be comprised of, at a minimum—

''(A) the Secretary of Health and Human Services;

''(B) the Secretary of Agriculture;

''(C) the Secretary of Defense;

''(D) the Secretary;

''(E) the Secretary of State;

''(F) the Director of National Intelligence; and

''(G) the Administrator of the Environmental Protection Agency.

''(2) DUTIES.—The Council shall—

''(A) provide the expertise necessary to develop the Strategy; and

''(B) in coordination with the Office of Management and Budget, review, prioritize, and align necessary biodefense activities and spending across the Federal Government, in a manner consistent with the Strategy.

''(3) ROTATING CHAIR.—During the 4-year period beginning on the date on which the Council is established, and each 4-year period thereafter, each of the 4 Secretaries described in subparagraphs (A) through (D) of paragraph (1) shall serve as the chairperson for the Council for 1 year. The first chairperson of the Council shall be the Secretary of Health and Human Services.

''(4) PRESIDENT'S ANNUAL BUDGET.—The recommendations of the Council shall inform the budget submitted by the President under section 1105 of title 31, United States Code, with respect to biodefense activities.

''(5) STRATEGY.—The President shall develop a National Biodefense Strategy to direct and align the inter-governmental and multi-disciplinary efforts of the Federal Government towards an effective and continuously improving biodefense enterprise, including threat awareness, prevention and protection, surveillance and detection, and

response and recovery to major biological incidents.

''(c) COORDINATION.—

''(1) COUNCIL.—In developing the Strategy, the President shall utilize the Council.

''(2) OTHER AGENCIES.—In developing the Strategy, the President may utilize—

''(A) the Secretary of Commerce;

''(B) the Attorney General; and

''(C) any other Federal department, agency, or interagency body the President determines appropriate, including the Public Health Emergency Medical Countermeasures Enterprise.

''(3) OTHER ENTITIES.—The President may receive input on elements of the Strategy from private sector biodefense entities and State, local, tribal, and territorial governments.

''(4) ACADEMIC INSTITUTIONS.—The President may receive input on elements of the Strategy from academic institutions.

''(d) COORDINATION WITH EXISTING STRATEGIES.—The Strategy shall serve as a comprehensive guide for United States biodefense that directs and harmonizes all other strategies or plans established or maintained by a Federal department or agency with respect to biodefense.

''(e) CONTENTS.—

''(1) REQUIREMENTS.—The Strategy shall include, at a minimum—

''(A) a comprehensive description of the entities and positions of leadership with responsibility, authority, and accountability for implementing, overseeing, and coordinating Federal biodefense activities described in subsection (b)(5), including a description of how such entities coordinate on each aspect of biodefense;

''(B) 5-year goals, priorities, and metrics to improve and strengthen the ability of the Federal Government to prevent, detect, respond to, and recover from a major biological incident;

''(C) short- and long-term research and development projects or initiatives planned to improve biodefense capability; and

''(D) recommendations for legislative action needed to expedite progression toward the goals identified in the Strategy.

''(2) CONSIDERATIONS.—In developing the Strategy, the President may consider—

''(A) the trade-offs made between differing goals and requirements, due to constraints in expected assets and resources over the time period of such goals and requirements; and

''(B) any other analysis the President determines appropriate.

''(3) ANALYSIS.—The Strategy shall include an appendix, which shall contain—

''(A) a review of current and previous collaborative efforts between the Armed Forces and the civilian sector of the Federal Government on biodefense activities and coordination;

''(B) a detailed analysis of the—

''(i) relevant recommendations issued by external biodefense review panels or commissions, and the extent to which the recommendations have been considered and implemented by Federal departments and agencies;

''(ii) lessons learned from the response of the Federal Government to public health emergencies occurring within the 5 years preceding the submission of the strategy;

''(iii) risks associated with major biological incidents;

''(iv) resources and capabilities needed to address identified risks; and

''(v) resource and capability gaps in the Federal biodefense enterprise, including gaps in—

''(I) each category of biodefense activity described in subsection (a)(1);

''(II) identification and research of emerging biological threats;

''(III) programs, projects, and activities in effect before the date of enactment of this section;

''(IV) strategies and implementation plans related to biodefense activities in effect before the date of enactment of this section;

''(V) the ability to reallocate Federal resources to address risks posed by emerging biological threats; and

''(VI) meeting the needs of vulnerable populations during the response to and recovery from a public health emergency; and

''(C) prioritization and allocation of investment across the Federal biodefense enterprise.

''(f) DEADLINE.—Not later than 24 months after the date of enactment of this section and in accordance with subsection (k), the President shall submit the Strategy to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

''(g) STATUS UPDATES.—Not later than 180 days after the date of enactment of this section, and every 180 days thereafter until the date on which the Strategy is submitted to the congressional committees described in subsection (f), the President shall submit to such congressional committees an update on the status of the Strategy.

''(h) REQUIREMENT.—In accordance with subsection (k), the Strategy shall be made available on a public Internet website.

''(i) FIVE-YEAR UPDATE.—Beginning 5 years after the date on which the Strategy is submitted to the congressional committees described in subsection (f), and not less frequently than every 5 years thereafter, the President shall update the Strategy.

''(j) ANNUAL BIODEFENSE EXPENDITURES REPORT.—

''(1) IN GENERAL.—Not later than 30 days after the date on which the President submits a budget to Congress under section 1105 of title 31, United States Code, the President shall submit to the appropriate congressional committees a report detailing the total amount of expenditures on biodefense activities by all Federal departments and agencies and how the expenditures relate to the goals and priorities required under subsection (e)(1)(B).

''(2) REQUIREMENT.—The first report submitted under paragraph (1) shall provide historical context by detailing the total amount of expenditures on biodefense for the 3 preceding fiscal years, in addition to the fiscal year requirements for the fiscal year covered by the report.

''(k) CLASSIFIED ANNEX.—To the fullest extent possible, any reports required to be made publicly available under this section shall be unclassified, but may include classified annexes that shall be submitted concurrently to the congressional homeland security committees.''.

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by inserting after the item relating to section 526 the following:

''Sec. 527. National Biodefense Strategy.''.

SA 4485. 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. MEAT OPTIONS.

(a) IN GENERAL.—The Secretary of Defense shall ensure that, on a daily basis, members of the Armed Forces at Department of Defense dining facilities are provided with meat options that meet or exceed the nutritional standards established in the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341).

(b) PROHIBITION.—None of the funds authorized to be appropriated by this Act may be obligated or expended to establish or enforce ''Meatless Monday'' or any other program explicitly designed to reduce the amount of animal protein that members of the Armed Forces voluntarily consume.

SA 4486. Mr. CRUZ (for himself, Mr. LEE, and Mr. LANKFORD) 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. IANA FUNCTIONS CONTRACT; UNITED STATES GOVERNMENT OWNERSHIP OF CERTAIN DOMAINS.

(a) FINDINGS.—Congress finds the following:

(1) The Department of Commerce and the National Telecommunications and Information Administration (in this section referred to as the ''NTIA'') should be responsible for maintaining the continuity and stability of services related to certain interdependent Internet technical management functions, known collectively as the Internet Assigned Numbers Authority (in this section referred to as the ''IANA''), which includes—

(A) the coordination of the assignment of technical Internet protocol parameters;

(B) the administration of certain responsibilities associated with the Internet domain name system root zone management;

(C) the allocation of Internet numbering resources; and

(D) other services related to the management of the Advanced Research Project Agency and INT top-level domains.

(2) The interdependent technical functions described in paragraph (1) were performed on behalf of the Federal Government under a contract between the Defense Advanced Research Projects Agency and the University of Southern California as part of a research project known as the Tera-node Network Technology project. As the Tera-node Network Technology project neared completion and the contract neared expiration in 1999, the Federal Government recognized the need for the continued performance of the IANA functions as vital to the stability and correct functioning of the Internet.

(3) The NTIA may use its contract authority to maintain the continuity and stability of services related to the IANA functions.

(4) If the NTIA uses its contract authority, the contractor, in the performance of its duties, must have or develop a close constructive working relationship with all interested and affected parties to ensure quality and satisfactory performance of the IANA functions. The interested and affected parties include—

(A) the multi-stakeholder, private sector led, bottom-up policy development model for

the domain name system that the Internet Corporation for Assigned Names and Numbers represents;

(B) the Internet Engineering Task Force and the Internet Architecture Board;

(C) Regional Internet Registries;

(D) top-level domain operators and managers, such as country codes and generic;

(E) governments; and

(F) the Internet user community.

(5) The IANA functions contract of the Department of Commerce explicitly declares that ''[a]ll deliverables provided under this contract become the property of the U.S. Government.''. One of the deliverables is the automated root zone.

(6) Former President Bill Clinton's Internet czar Ira Magaziner stated that ''[t]he United States paid for the Internet, the Net was created under its auspices, and most importantly everything [researchers] did was pursuant to government contracts.''

(7) Under section 3 of article IV of the Constitution of the United States, Congress has the exclusive power to ''dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States''.

(8) The .gov and .mil top-level domains are the property of the United States Government, and as property, the United States Government should have the exclusive control and use of those domains in perpetuity.

(b) MAINTAINING THE IANA FUNCTIONS CONTRACT.—The Assistant Secretary of Commerce for Communications and Information may not allow the responsibility of the National Telecommunications and Information Administration with respect to the Internet domain name system functions, including responsibility with respect to the authoritative root zone file and the performance of the Internet Assigned Numbers Authority functions, to terminate, lapse, expire, be cancelled, or otherwise cease to be in effect unless a Federal statute enacted after the date of enactment of this Act expressly grants the Assistant Secretary such authority.

(c) EXCLUSIVE UNITED STATES GOVERNMENT OWNERSHIP AND CONTROL OF .GOV AND .MIL DOMAINS.—Not later than 60 days after the date of enactment of this Act, the Assistant Secretary of Commerce for Communications and Information shall provide to Congress a written certification that the United States Government has—

(1) secured sole ownership of the .gov and .mil top-level domains; and

(2) entered into a contract with the Internet Corporation for Assigned Names and Numbers that provides that the United States Government has exclusive control and use of those domains in perpetuity.

SA 4487. Mr. CARDIN 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. LOW-INCOME SEWER AND WATER ASSISTANCE PILOT PROGRAM.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

''SEC. 123. LOW-INCOME SEWER AND WATER ASSISTANCE PILOT PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means a municipality or a public entity that owns or operates a public water system that is affected by a consent decree relating to compliance with this Act.

''(2) HOUSEHOLD.—The term 'household' means any individual or group of individuals who are living together as 1 economic unit.

''(3) LOW-INCOME HOUSEHOLD.—The term 'low-income household' means a household—

''(A) in which 1 or more individuals are receiving—

''(i) assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

''(ii) supplemental security income payments under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.);

''(iii) supplemental nutrition assistance program benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.); or

''(iv) payments under—

''(I) section 1315, 1521, 1541, or 1542 of title 38, United States Code; or

''(II) section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978 (38 U.S.C. 1521 note; Public Law 95–588); or

''(B) that has an income determined by the State in which the eligible entity is located to not exceed the greater of—

''(i) an amount equal to 150 percent of the poverty level for that State; or

''(ii) an amount equal to 60 percent of the median income for that State.

''(4) PUBLIC WATER SYSTEM.—The term 'public water system' has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

''(5) SANITATION SERVICES.—The term 'sanitation services' has the meaning given the term in section 113(g).

''(b) ESTABLISHMENT.—

''(1) IN GENERAL.—The Administrator shall establish a pilot program to award grants to not fewer than 10 eligible entities to assist low-income households in maintaining access to sanitation services.

''(2) LOWER INCOME LIMIT.—For purposes of this section, a State may adopt an income limit that is lower than the limit described in subsection (a)(3)(B), except that the State may not exclude a household from eligibility in a fiscal year based solely on household income if that income is less than 110 percent of the poverty level for that State.

''(c) REPORT.—Not later than 1 year after the date of enactment of this section, the Administrator shall submit to Congress a report on the results of the program established under this section.''.

SA 4488. Mr. CARDIN 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. 306. COMPLIANCE OF MILITARY HOUSING WATER SUPPLIES WITH FEDERAL AND STATE DRINKING WATER STANDARDS.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a study to determine whether members of the Armed Forces and their families who live in military housing in the United States have access to water that complies with State and Federal drinking water standards.

(b) COMPLIANCE MEASURES.—If the Secretary finds that water available to members of the Armed Forces and their families who live in military housing does not meet State or Federal drinking water standards, the Secretary shall—

(1) take immediate steps to bring noncompliant water sources into compliance with State and Federal standards; and

(2) within 30 days of discovering that a water source does not meet State or Federal drinking water standards, provide to the Committees on Armed Services of the Senate and the House of Representatives and the congressional delegation of the affected State written verification describing the noncompliant water sources, including the location of all affected members of the Armed Forces, and an explanation about how the Secretary will bring the water source into compliance with State and Federal standards.

SA 4489. Mrs. MURRAY 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. NOTIFICATION OF PROPOSED CHANGES TO THE AIR FORCE STRATEGIC BASING PROCESS.

Not later than 30 days after making a determination to change the concept of operations, basing objectives, criteria, policies, programming, planning, or directives of the strategic basing process, the Secretary of the Air Force shall notify Congress of the proposed change. The notification shall include a briefing by the Chair of the Strategic Basing Executive Steering Group and a detailed, written risk assessment and analysis report regarding the change.

SA 4490. Mrs. MURRAY 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 D of title XIV, add the following:

SEC. 1433. TERMINATION OF REDUCTION TO UNDISTRIBUTED DEFENSE HEALTH PROGRAM RELATING TO FERTILITY TREATMENT BENEFITS.

(a) TERMINATION OF REDUCTION.—The reduction in the amount available for undistributed Defense Health Program relating to unauthorized fertility treatment benefits otherwise to be made by reason of the funding table in section 4501 shall note be made.

(b) INCREASE IN AMOUNT AUTHORIZED FOR DEFENSE HEALTH PROGRAM FOR BENEFITS.—The amount authorized to be appropriated for fiscal year 2017 for the Defense Health Program by section 1405 is hereby increased by $38,000,000, with the amount of the increase to be allocated to undistributed Defense Health Program as specified in the funding table in section 4501 and available for unauthorized fertility treatment benefits.

SA 4491. Mr. BENNET (for himself, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Ms. BALDWIN) 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. INCREASED FUNDING FOR CERTAIN MISSILE DEFENSE ACTIVITIES.

(a) PROCUREMENT, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 101 is hereby increased by $290,000,000, with the amount of increase to be available for procurement, Defense-wide, as specified in the funding table in section 4101 and available for procurement for the following:

(1) Iron Dome, $20,000,000.

(2) David's Sling Weapon System, $150,000,000.

(3) Arrow 3 Upper Tier, $120,000,000.

(b) RDT&E, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 201 is hereby increased by $29,900,000, with the amount of increase to be available for research, development, test, and evaluation, Defense-wide, as specified in the funding table in section 4201 and available for research, development, test, and evaluation for the following:

(1) David's Sling Weapon System, $19,300,000.

(2) Arrow 3 Upper Tier, $4,100,000.

(3) Base Arrow, $6,500,000.

(c) CONSTRUCTION OF INCREASE.—Amounts available under subsection (a) for procurement for items specified in subsection (a), and amounts available under subsection (b) for research, development, test, and evaluation for items specified in subsection (b), are in addition to any other amounts available for such purposes for such items in this Act.

(d) OFFSET.—Amounts for the aggregate of the increases in subsections (a) and (b) shall be derived as follows:

(1) From a reduction of $219,900,000 in the amount of savings otherwise available for fiscal year 2017 in connection with bulk fuel as specified in the funding table in section 4301.

(2) From a reduction of $100,000,000 in the amount authorized to be appropriated for fiscal year 2017 for lift and sustain to maintain program affordability as specified in the funding table in section 4302.

SA 4492. 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 XXVIII, add the following:

SEC. 2814. DURATION OF UTILITY ENERGY SERVICE CONTRACTS.

Section 2913 of title 10, United States Code, is amended by adding at the end the following new subsections:

''(e) DURATION OF CONTRACTS.—An utility energy service contract entered into under this section may have a contract period not to exceed 25 years.

''(f) VERIFICATION REQUIREMENTS.—The conditions of an utility energy service contract entered into under this section shall include requirements for measurement, verification, and performance assurances or guarantees of the savings.''.

SA 4493. 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 G of title V, add the following:

SEC. 590. ATOMIC VETERANS SERVICE MEDAL.

(a) SERVICE MEDAL REQUIRED.—The Secretary of Defense shall design and produce a military service medal, to be known as the ''Atomic Veterans Service Medal'', to honor retired and former members of the Armed Forces who are radiation-exposed veterans (as such term is defined in section 1112(c)(3) of title 38, United States Code).

(b) DISTRIBUTION OF MEDAL.—

(1) ISSUANCE TO RETIRED AND FORMER MEMBERS.—At the request of a radiation-exposed veteran, the Secretary of Defense shall issue the Atomic Veterans Service Medal to the veteran.

(2) ISSUANCE TO NEXT-OF-KIN.—In the case of a radiation-exposed veteran who is deceased, the Secretary may provide for issuance of the Atomic Veterans Service Medal to the next-of-kin of the person.

(3) APPLICATION.—The Secretary shall prepare and disseminate as appropriate an application by which radiation-exposed veterans and their next-of-kin may apply to receive the Atomic Veterans Service Medal.

SA 4494. 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 title XXXIII, add the following:

SEC. 3308. RULEMAKING ESTABLISHING MINIMUM LIABILITY INSURANCE LEVELS FOR PILOTS.

Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a rulemaking to establish minimum levels of liability insurance for any pilot covered under this title.

SA 4495. 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:

Strike title XXXIII and insert the following:

TITLE XXXIII—EXEMPTION FROM MEDICAL CERTIFICATION REQUIREMENTS

SEC. 3301. REPORTING BY PILOTS EXEMPT FROM MEDICAL CERTIFICATION REQUIREMENTS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation shall require any pilot who is exempt from medical certification requirements to submit, not less frequently than once every 180 days, a report to the Department of Transportation that—

(1) identifies the pilot's status as an active pilot; and

(2) includes a summary of the pilot's recent flight hours.

SEC. 3302. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ASSESSING EFFECT ON PUBLIC SAFETY OF EXEMPTION FOR SPORT PILOTS FROM REQUIREMENT FOR A MEDICAL CERTIFICATE.

Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that assesses the effect of section 61.23(c)(ii) of title 14, Code of Federal Regulations (permitting a person to exercise the privileges of a sport pilot certificate without holding a medical certificate), on public safety since 2004.

SA 4496. Mr. KAINE (for himself, Mr. FLAKE, and Mr. NELSON) 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 title XII, add the following:

Subtitle I—Authority for the Use of Military Force Against the Islamic State of Iraq and the Levant

SEC. 1281. FINDINGS.

Congress makes the following findings:

(1) The terrorist organization that has referred to itself as the Islamic State of Iraq and the Levant and various other names (in this subtitle referred to as ''ISIL'') poses a grave threat to the people and territorial integrity of Iraq and Syria, regional stability, and the national security interests of the United States and its allies and partners.

(2) ISIL holds significant territory in Iraq and Syria and has stated its intention to seize more territory and demonstrated the capability to do so.

(3) ISIL leaders have stated that they intend to conduct terrorist attacks internationally, including against the United States, its citizens, and interests.

(4) ISIL has committed despicable acts of violence and mass executions against Muslims, regardless of sect, who do not subscribe to ISIL's depraved, violent, and oppressive ideology.

(5) ISIL has threatened genocide and committed vicious acts of violence against religious and ethnic minority groups, including Iraqi Christian, Yezidi, and Turkmen populations.

(6) ISIL has targeted innocent women and girls with horrific acts of violence, including

abduction, enslavement, torture, rape, and forced marriage.

(7) ISIL is responsible for the deaths of innocent United States citizens, including James Foley, Steven Sotloff, Abdul-Rahman Peter Kassig, and Kayla Mueller.

(8) The United States is working with regional and global allies and partners to degrade and defeat ISIL, to cut off its funding, to stop the flow of foreign fighters to its ranks, and to support local communities as they reject ISIL.

(9) The announcement of the anti-ISIL Coalition on September 5, 2014, during the NATO Summit in Wales, stated that ISIL poses a serious threat and should be countered by a broad international coalition.

(10) The United States calls on its allies and partners, particularly in the Middle East and North Africa, to join the anti-ISIL Coalition and defeat this terrorist threat.

(11) President Barack Obama, United States military leaders, and United States allies in the region have made clear that it is more effective to use the unique capabilities of the United States Government to support regional partners instead of large-scale deployments of United States ground forces in this mission.

SEC. 1282. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

(a) AUTHORIZATION.—The President is authorized to use the Armed Forces of the United States as the President determines necessary and appropriate against ISIL or associated persons or forces as defined in section 1285.

(b) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution (50 U.S.C. 1547(a)(1)), Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution (50 U.S.C. 1544(b)).

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this subtitle supersedes any requirements of the War Powers Resolution (50 U.S.C. 1541 et seq.).

(c) PURPOSE.—The purpose of this authorization is to protect the lives of United States citizens and to provide military support to regional partners in their battle to defeat ISIL. The use of significant United States ground troops in combat against ISIL, except to protect the lives of United States citizens from imminent threat, is not consistent with such purpose.

SEC. 1283. DURATION OF AUTHORIZATION.

The authorization for the use of military force under this subtitle shall terminate three years after the date of the enactment of this Act, unless reauthorized.

SEC. 1284. REPORTS.

The President shall report to Congress at least once every six months on specific actions taken pursuant to this authorization.

SEC. 1285. ASSOCIATED PERSONS OR FORCES DEFINED.

In this subtitle, the term ''associated persons or forces''—

(1) means individuals and organizations fighting for, on behalf of, or alongside ISIL or any closely-related successor entity in hostilities against the United States or its coalition partners; and

(2) refers to any individual or organization that presents a direct threat to members of the United States Armed Forces, coalition partner forces, or forces trained by the coalition, in their fight against ISIL.

SEC. 1286. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ.

The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 116 Stat. 1498; 50 U.S.C. 1541 note) is hereby repealed.

SEC. 1287. SOLE STATUTORY AUTHORITY FOR MILITARY ACTION AGAINST ISIL.

This authorization shall constitute the sole statutory authority for United States military action against the Islamic State of Iraq and the Levant and associated persons or forces, and supersedes any prior authorization for the use of military force involving action against ISIL.

SA 4497. Mr. KAINE (for himself and Mr. MERKLEY) 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. 1227. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE.

(a) PURPOSE.—The purpose of this section is to encourage a new Administration to work with Congress in its first two years to effectively revise the 2001 Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note).

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

(1) The 2001 Authorization for Use of Military Force is now nearly 15 years old.

(2) A new Administration should determine how the United States continues to fight terrorism in a disciplined way consistent with the authorities provided under Article I and II of the Constitution and the War Powers Resolution (50 U.S.C. 1541 et seq.).

(c) QUALIFYING LEGISLATION DEFINED.—In this section, the term ''qualifying legislation'' means—

(1) proposed legislation submitted by the President under subsection (d) not later than the date specified in such subsection;

(2) in the event the President does not submit such proposed legislation by such date, legislation reported by the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives after such date and not later than November 20, 2017, that refines, modifies, or repeals the authorization for the use of force provided in the Authorization for Use of Military Force (Public Law 107–40, 155 Stat. 224), enacted on September 18, 2001; or

(3) in the event proposed legislation is not submitted or reported as described under paragraph (1) or (2), respectively, legislation that refines, modifies, or repeals the authorization for the use of force provided in the Authorization for Use of Military Force (Public Law 107–40, 155 Stat. 224) that is introduced by any member of the Senate or House of Representatives after November 20, 2017.

(d) REQUIRED PRESIDENTIAL SUBMISSION.—Not later than September 20, 2017, the President shall submit to Congress proposed legislation that refines, modifies, or repeals the authorization for the use of force provided in the Authorization for Use of Military Force (Public Law 107–40, 155 Stat. 224) (in this section referred to as ''qualifying legislation'').

(e) INTRODUCTION OF QUALIFYING LEGISLATION SUBMITTED BY PRESIDENT.—Proposed legislation submitted by the President under subsection (d) shall be introduced in the Senate (by request) on the next day on which the Senate is in session by the majority leader of the Senate or by a member of the Senate designated by the majority leader of the Senate and shall be introduced in the House of Representatives (by request) on the next legislative day by the majority leader of the House or by a member of the House designated by the majority leader of the House.

(f) EXPEDITED CONSIDERATION OF QUALIFYING LEGISLATION.—

(1) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

(A) COMMITTEE REFERRAL AND DISCHARGE.—If a committee of the House to which qualifying legislation described in paragraph (1) or paragraph (3) of subsection (c) has been referred has not reported such qualifying legislation within 10 legislative days after such referral, that committee shall be discharged from further consideration thereof.

(B) FLOOR CONSIDERATION.—When the committee to which qualifying legislation described in paragraph (1) or paragraph (3) of subsection (c) has been referred has reported, or has been deemed to be discharged (under paragraph (1) of this subsection) from further consideration of, such qualifying legislation, or when a committee has reported qualifying legislation described in subsection (c)(2), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the qualifying legislation, and all points of order against the motion to proceed are waived. The motion is highly privileged in the House of Representatives. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the qualifying legislation is agreed to, the qualifying legislation shall remain the unfinished business of the House until disposed of.

(2) CONSIDERATION IN THE SENATE.—

(A) COMMITTEE REFERRAL.—Qualifying legislation described in paragraph (1) or paragraph (3) of subsection (c) that is introduced in the Senate shall be referred to the Committee on Foreign Relations.

(B) REPORTING AND DISCHARGE.—If the Committee on Foreign Relations has not reported such qualifying legislation within 10 days upon which the Senate is in session after such referral, that committee shall be discharged from further consideration thereof and such legislation shall be placed on the appropriate calendar.

(C) FLOOR CONSIDERATION.—When the Committee on Foreign Relations has reported, or has been discharged (under paragraph (1) of this subsection) from further consideration of, qualifying legislation described in paragraph (1) or paragraph (3) of subsection (c), or when the Committee on Foreign Relations has reported qualifying legislation described in subsection (c)(2), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any Senator, notwithstanding Rule XXII of the Standing Rules of the Senate, to move to proceed to the consideration of the qualifying legislation, and all points of order against the motion to proceed are waived. The motion is not subject to a motion to postpone, or to a motion to proceed to the consideration of other business. The motion is not debatable. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the qualifying legislation is agreed to, the qualifying legislation shall remain the unfinished business of the Senate until disposed of.

(3) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of legislation described in those sections, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(g) REPORTS TO CONGRESS.—

(1) STRATEGY.—Not later than September 20, 2017, the President shall submit to the appropriate congressional committees and leadership a written report setting forth a comprehensive strategy of the United States, encompassing military, economic, humanitarian, and diplomatic efforts, to protect Americans from al Qaeda, the Taliban, the Islamic State of Iraq and the Levant (ƒISIL), and transnational terrorist organizations that the President has determined threaten the national security of United States and to support international partners in their fight to defeat such organizations.

(2) IMPLEMENTATION OF STRATEGY.—

(A) IN GENERAL.—Not later than September 20, 2017, and every 180 days thereafter, the President shall submit to the appropriate congressional committees and leadership a description and assessment of the implementation of the strategy set forth in the report required by paragraph (1), including a description of any substantive change to the comprehensive strategy, including the reason for the change and the change's effect on the rest of the comprehensive strategy.

(B) REQUIRED ELEMENTS OF THE REPORT.—The report required under subparagraph (A) shall include the specific military actions taken to address the threat posed by transnational terrorist organizations and associated persons or forces, including—

(i) the persons and forces targeted by such actions;

(ii) the nature and location of such actions;

(iii) an evaluation of the effectiveness of such actions; and

(iv) a description of and justification for the specific authorities relied upon for such actions.

(3) REPORT ON ACTIONS IN FOREIGN COUNTRIES.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees and leadership a report detailing all foreign countries in which the United States government is conducting, or is preparing to conduct, specific actions described in paragraph (2)(B), and shall update this report no less than 48 hours before such actions take place in a new country, unless exigent circumstances exist.

(4) COVERED PERSONS AND FORCES.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress a list of the organizations, persons, or forces against which the United States is conducting military operations pursuant to the 2001 Authorization for Use of Military Force (Public Law 107-40, 155 Stat. 224) or the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 116 Stat. 1498; 50 U.S.C. 1541 note), or Article II of the Constitution of the United States, respectively, along with a justification for the inclusion of such organizations, persons, or forces, and classified information relating thereto. The list shall be updated at least every 90 days.

(5) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.—In this subsection, the term ''appropriate congressional committees and leadership'' means—

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

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

(h) REPEAL.—The Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) shall terminate on January 1, 2019.

SA 4498. 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 title X, add the following:

Subtitle J—Treatment of Employees of Department of Veterans Affairs and Protection of Whistleblowers

SEC. 1097. REMOVAL OR DEMOTION OF EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS BASED ON PERFORMANCE OR MISCONDUCT.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 714. Employees: removal or demotion based on performance or misconduct

''(a) IN GENERAL.—(1) The Secretary may remove or demote an individual who is an employee of the Department if the Secretary determines the performance or misconduct of the individual warrants such removal or demotion.

''(2) A determination under paragraph (1) that the performance or misconduct of an individual warrants removal or demotion may consist of a determination of any of the following:

''(A) The individual neglected a duty of the position in which the individual was employed.

''(B) The individual engaged in malfeasance.

''(C) The individual failed to accept a directed reassignment or to accompany a position in a transfer of function.

''(D) The individual violated a policy of the Department.

''(E) The individual violated a provision of law.

''(F) The individual engaged in insubordination.

''(G) The individual over prescribed medication.

''(H) The individual contributed to the purposeful omission of the name of one or more veterans waiting for health care from an electronic wait list for a medical facility of the Department.

''(I) The individual was the supervisor of an employee of the Department, or was a supervisor of the supervisor, at any level, who contributed to a purposeful omission as described in subparagraph (H) and knew, or reasonably should have known, that the employee contributed to such purposeful omission.

''(J) Such other performance or misconduct as the Secretary determines warrants the removal or demotion of the individual under paragraph (1).

''(3) If the Secretary removes or demotes an individual as described in paragraph (1), the Secretary may—

''(A) remove the individual from the civil service (as defined in section 2101 of title 5); or

''(B) demote the individual by means of—

''(i) a reduction in grade for which the individual is qualified and that the Secretary determines is appropriate; or

''(ii) a reduction in annual rate of pay that the Secretary determines is appropriate.

''(b) PAY OF CERTAIN DEMOTED INDIVIDUALS.—(1) Notwithstanding any other provision of law, any individual subject to a demotion under subsection (a)(3)(B)(i) shall, beginning on the date of such demotion, receive the annual rate of pay applicable to such grade.

''(2) An individual so demoted may not be placed on administrative leave or any other category of paid leave during the period during which an appeal (if any) under this section is ongoing, and may only receive pay if the individual reports for duty. If an individual so demoted does not report for duty, such individual shall not receive pay or other benefits pursuant to subsection (e)(5).

''(c) NOTICE TO CONGRESS.—Not later than 30 days after removing or demoting an individual under subsection (a), the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives notice in writing of such removal or demotion and the reason for such removal or demotion.

''(d) PROCEDURE.—(1) The procedures under section 7513(b) of title 5 and chapter 43 of such title shall not apply to a removal or demotion under this section.

''(2)(A) Subject to subparagraph (B) and subsection (e), any removal or demotion under subsection (a) may be appealed to the Merit Systems Protection Board under section 7701 of title 5.

''(B) An appeal under subparagraph (A) of a removal or demotion may only be made if such appeal is made not later than seven days after the date of such removal or demotion.

''(e) EXPEDITED REVIEW BY ADMINISTRATIVE LAW JUDGE.—(1) Upon receipt of an appeal under subsection (d)(2)(A), the Merit Systems Protection Board shall refer such appeal to an administrative law judge pursuant to section 7701(b)(1) of title 5. The administrative law judge shall expedite any such appeal under such section and, in any such case, shall issue a decision not later than 45 days after the date of the appeal.

''(2) Notwithstanding any other provision of law, including section 7703 of title 5, the decision of an administrative judge under paragraph (1) shall be final and shall not be subject to any further appeal.

''(3) In any case in which the administrative judge cannot issue a decision in accordance with the 45-day requirement under paragraph (1), the removal or demotion is final. In such a case, the Merit Systems Protection Board shall, within 14 days after the date that such removal or demotion is final, submit to Congress and the Committees on Veterans' Affairs of the Senate and House of Representatives a report that explains the reasons why a decision was not issued in accordance with such requirement.

''(4) The Merit Systems Protection Board or administrative judge may not stay any removal or demotion under this section.

''(5) During the period beginning on the date on which an individual appeals a removal from the civil service under subsection (d) and ending on the date that the administrative judge issues a final decision on such appeal, such individual may not receive any pay, awards, bonuses, incentives, allowances, differentials, student loan repayments, special payments, or benefits.

''(6) To the maximum extent practicable, the Secretary shall provide to the Merit Systems Protection Board, and to any administrative law judge to whom an appeal under this section is referred, such information and assistance as may be necessary to ensure an appeal under this subsection is expedited.

''(f) RELATION TO OTHER PROVISIONS OF LAW.—(1) The authority provided by this section is in addition to the authority provided by subchapter V of chapter 75 of title 5 and chapter 43 of such title.

''(2) Subchapter V of chapter 74 of this title shall not apply to any action under this section.

''(g) DEFINITIONS.—In this section:

''(1) The term 'individual' means an individual occupying a position at the Department of Veterans Affairs but does not include—

''(A) an individual, as that term is defined in section 713(g)(1) of this title; or

''(B) a political appointee.

''(2) The term 'grade' has the meaning given such term in section 7511(a) of title 5.

''(3) The term 'misconduct' includes neglect of duty, malfeasance, or failure to accept a directed reassignment or to accompany a position in a transfer of function.

''(4) The term 'political appointee' means an individual who is—

''(A) employed in a position described under sections 5312 through 5316 of title 5, (relating to the Executive Schedule);

''(B) is a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5; or

''(C) is employed in a position of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations.''.

(b) CLERICAL AND CONFORMING AMENDMENTS.—

(1) CLERICAL.—The table of sections at the beginning of chapter 7 of such title is amended by inserting after the item relating to section 713 the following new item:

''714. Employees: removal or demotion based on performance or misconduct.''.

(2) CONFORMING.—Section 4303(f) of title 5, United States Code, is amended—

(A) by striking ''or'' at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3) and inserting '', or''; and

(C) by adding at the end the following:

''(4) any removal or demotion under section 714 of title 38.''.

SEC. 1097A. REQUIRED PROBATIONARY PERIOD FOR NEW EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, as amended by section 1097, is further amended by adding at the end the following new section:

''§ 715. Probationary period for employees

''(a) IN GENERAL.—Notwithstanding sections 3321 and 3393(d) of title 5, the appointment of a covered employee shall become final only after such employee has served a probationary period of 540 days. The Secretary may extend a probationary period under this subsection at the discretion of the Secretary.

''(b) COVERED EMPLOYEE.—In this section, the term 'covered employee'—

''(1) means any individual—

''(A) appointed to a permanent position within the competitive service at the Department; or

''(B) appointed as a career appointee (as that term is defined in section 3132(a)(4) of title 5) within the Senior Executive Service at the Department; and

''(2) does not include any individual with a probationary period prescribed by section 7403 of this title.

''(c) PERMANENT HIRES.—Upon the expiration of a covered employee's probationary period under subsection (a), the supervisor of the employee shall determine whether the appointment becomes final based on regulations prescribed for such purpose by the Secretary.''.

(b) APPLICATION.—The amendment made by subsection (a) shall apply to any covered employee (as that term is defined in section 715 of title 38, United States Code, as added by such subsection) appointed after the date of the enactment of this Act.

(c) CLERICAL AND CONFORMING AMENDMENTS.—

(1) CLERICAL.—The table of sections at the beginning of chapter 7 of such title, as amended by section 1097, is further amended by inserting after the item relating to section 714 the following new item:

''715. Probationary period for employees.''.

(2) CONFORMING.—Title 5, United States Code, is amended—

(A) in section 3321(c), by—

(i) striking ''Service or'' and inserting ''Service,''; and

(ii) inserting at the end before the period the following: '', or any individual covered by section 715 of title 38''; and

(B) in section 3393(d), by adding at the end after the period the following: ''The preceding sentence shall not apply to any individual covered by section 715 of title 38.''.

SEC. 1097B. OFFICE OF ACCOUNTABILITY AND WHISTLEBLOWER PROTECTION.

(a) IN GENERAL.—Chapter 3 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 323. Office of Accountability and Whistleblower Protection

''(a) ESTABLISHMENT.—There is established in the Department an office to be known as the Office of Accountability and Whistleblower Protection (in this section referred to as the 'Office').

''(b) HEAD OF OFFICE.—(1) The head of the Office shall be responsible for the functions of the Office and shall be appointed by the President pursuant to section 308(a) of this title.

''(2) The head of the Office shall be known as the 'Assistant Secretary for Accountability and Whistleblower Protection'.

''(3) The Assistant Secretary shall report directly to the Secretary on all matters relating to the Office.

''(4) Notwithstanding section 308(b) of this title, the Secretary may only assign to the Assistant Secretary responsibilities relating to the functions of the Office set forth in subsection (c).

''(c) FUNCTIONS.—(1) The functions of the Office are as follows:

''(A) Advising the Secretary on all matters of the Department relating to accountability, including accountability of employees of the Department, retaliation against whistleblowers, and such matters as the Secretary considers similar and affect public trust in the Department.

''(B) Issuing reports and providing recommendations related to the duties described in subparagraph (A).

''(C) Receiving whistleblower disclosures.

''(D) Referring whistleblower disclosures received under subparagraph (C) for investigation to the Office of the Medical Inspector, the Office of Inspector General, or other investigative entity, as appropriate, if the Assistant Secretary has reason to believe the whistleblower disclosure is evidence of a violation of a provision of law, mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to public health and safety.

''(E) Receiving and referring disclosures from the Special Counsel for investigation to the Medical Inspector of the Department, the Inspector General of the Department, or such other person with investigatory authority, as the Assistant Secretary considers appropriate.

''(F) Recording, tracking, reviewing, and confirming implementation of recommendations from audits and investigations carried out by the Inspector General of the Department, the Medical Inspector of the Department, the Special Counsel, and the Comptroller General of the United States, including the imposition of disciplinary actions and other corrective actions contained in such recommendations.

''(G) Analyzing data from the Office and the Office of Inspector General telephone hotlines, other whistleblower disclosures, disaggregated by facility and area of health care if appropriate, and relevant audits and investigations to identify trends and issue reports to the Secretary based on analysis conducted under this subparagraph.

''(H) Receiving, reviewing, and investigating allegations of misconduct, retaliation, or poor performance involving—

''(i) an individual in a senior executive position (as defined in section 713(d) of this title) in the Department;

''(ii) an individual employed in a confidential, policy-making, policy-determining, or policy-advocating position in the Department; or

''(iii) a supervisory employee, if the allegation involves retaliation against an employee for making a whistleblower disclosure.

''(I) Making such recommendations to the Secretary for disciplinary action as the Assistant Secretary considers appropriate after substantiating any allegation of misconduct or poor performance pursuant to an investigation carried out as described in subparagraph (F) or (H).

''(2) In carrying out the functions of the Office, the Assistant Secretary shall ensure that the Office maintains a toll-free telephone number and Internet website to receive anonymous whistleblower disclosures.

''(3) In any case in which the Assistant Secretary receives a whistleblower disclosure from an employee of the Department under paragraph (1)(C), the Assistant Secretary may not disclose the identity of the employee without the consent of the employee, except in accordance with the provisions of section 552a of title 5, or as required by any other applicable provision of Federal law.

''(d) STAFF AND RESOURCES.—The Secretary shall ensure that the Assistant Secretary has such staff, resources, and access to information as may be necessary to carry out the functions of the Office.

''(e) RELATION TO OFFICE OF GENERAL COUNSEL.—The Office shall not be established as an element of the Office of the General Counsel and the Assistant Secretary may not report to the General Counsel.

''(f) REPORTS.—(1)(A) Not later than June 30 of each calendar year, beginning with June 30, 2017, the Assistant 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 activities of the Office during the calendar year in which the report is submitted.

''(B) Each report submitted under subparagraph (A) shall include, for the period covered by the report, the following:

''(i) A full and substantive analysis of the activities of the Office, including such statistical information as the Assistant Secretary considers appropriate.

''(ii) Identification of any issues reported to the Secretary under subsection (c)(1)(G),

including such data as the Assistant Secretary considers relevant to such issues and any trends the Assistant Secretary may have identified with respect to such issues.

''(iii) Identification of such concerns as the Assistant Secretary may have regarding the size, staffing, and resources of the Office and such recommendations as the Assistant Secretary may have for legislative or administrative action to address such concerns.

''(iv) Such recommendations as the Assistant Secretary may have for legislative or administrative action to improve—

''(I) the process by which concerns are reported to the Office; and

''(II) the protection of whistleblowers within the Department.

''(v) Such other matters as the Assistant Secretary considers appropriate regarding the functions of the Office or other matters relating to the Office.

''(2) If the Secretary receives a recommendation for disciplinary action under subsection (c)(1)(I) and does not take or initiate the recommended disciplinary action before the date that is 60 days after the date on which the Secretary received the recommendation, 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 detailed justification for not taking or initiating such disciplinary action.

''(g) DEFINITIONS.—In this section:

''(1) The term 'supervisory employee' means an employee of the Department who is a supervisor as defined in section 7103(a) of title 5.

''(2) The term 'whistleblower' means one who makes a whistleblower disclosure.

''(3) The term 'whistleblower disclosure' means any disclosure of information by an employee of the Department or individual applying to become an employee of the Department which the employee or individual reasonably believes evidences—

''(A) a violation of a provision of law; or

''(B) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.''.

(b) CONFORMING AMENDMENT.—Section 308(b) of such title is amended by adding at the end the following new paragraph:

''(12) The functions set forth in section 323(c) of this title.''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is amended by inserting after the item relating to section 322 the following new item:

''323. Office of Accountability and Whistleblower Protection.''.

SEC. 1097C. PROTECTION OF WHISTLEBLOWERS IN DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, as amended by section 1097A, is further amended by adding at the end the following new sections:

''§ 716. Protection of whistleblowers as criteria in evaluation of supervisors

''(a) DEVELOPMENT AND USE OF CRITERIA REQUIRED.—The Secretary, in consultation with the Assistant Secretary of Accountability and Whistleblower Protection, shall develop criteria that—

''(1) the Secretary shall use as a critical element in any evaluation of the performance of a supervisory employee; and

''(2) promotes the protection of whistleblowers.

''(b) PRINCIPLES FOR PROTECTION OF WHISTLEBLOWERS.—The criteria required by subsection (a) shall include principles for the protection of whistleblowers, such as the degree to which supervisory employees respond constructively when employees of the Department report concerns, take responsible action to resolve such concerns, and foster an environment in which employees of the Department feel comfortable reporting concerns to supervisory employees or to the appropriate authorities.

''(c) SUPERVISORY EMPLOYEE AND WHISTLEBLOWER DEFINED.—In this section, the terms 'supervisory employee' and 'whistleblower' have the meanings given such terms in section 323 of this title.

''§ 717. Training regarding whistleblower disclosures

''(a) TRAINING.—Not less frequently than once every two years, the Secretary, in coordination with the Whistleblower Protection Ombudsman designated under section 3(d)(1)(C) of the Inspector General Act of 1978 (5 U.S.C. App.), shall provide to each employee of the Department training regarding whistleblower disclosures, including—

''(1) an explanation of each method established by law in which an employee may file a whistleblower disclosure;

''(2) the right of the employee to petition Congress regarding a whistleblower disclosure in accordance with section 7211 of title 5;

''(3) an explanation that the employee may not be prosecuted or reprised against for disclosing information to Congress, the Inspector General, or another investigatory agency in instances where such disclosure is permitted by law, including under sections 5701, 5705, and 7732 of this title, under section 552a of title 5 (commonly referred to as the Privacy Act), under chapter 93 of title 18, and pursuant to regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191);

''(4) an explanation of the language that is required to be included in all nondisclosure policies, forms, and agreements pursuant to section 115(a)(1) of the Whistleblower Protection Enhancement Act of 2012 (5 U.S.C. 2302 note); and

''(5) the right of contractors to be protected from reprisal for the disclosure of certain information under section 4705 or 4712 of title 41.

''(b) MANNER TRAINING IS PROVIDED.—The Secretary shall ensure, to the maximum extent practicable, that training provided under subsection (a) is provided in person.

''(c) CERTIFICATION.—Not less frequently than once every two years, the Secretary shall provide training on merit system protection in a manner that the Special Counsel certifies as being satisfactory.

''(d) PUBLICATION.—The Secretary shall publish on the Internet website of the Department, and display prominently at each facility of the Department, the rights of an employee to make a whistleblower disclosure, including the information described in paragraphs (1) through (5) of subsection (a).

''(e) WHISTLEBLOWER DISCLOSURE DEFINED.—In this section, the term 'whistleblower disclosure' has the meaning given such term in section 323 of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title, as amended by section 1097A, is further amended by inserting after the item relating to section 715 the following new items:

''716. Protection of whistleblowers as criteria in evaluation of supervisors.

''717. Training regarding whistleblower disclosures.''.

SEC. 1097D. TREATMENT OF CONGRESSIONAL TESTIMONY BY DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES AS OFFICIAL DUTY.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, as amended by section 1097C, is further amended by adding at the end the following new section:

''§ 718. Congressional testimony by employees: treatment as official duty

''(a) CONGRESSIONAL TESTIMONY.—An employee of the Department is performing official duty during the period with respect to which the employee is testifying in an official capacity in front of either chamber of Congress, a committee of either chamber of Congress, or a joint or select committee of Congress.

''(b) TRAVEL EXPENSES.—The Secretary shall provide travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, to any employee of the Department of Veterans Affairs performing official duty described under subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title, as amended by section 1097C, is further amended by inserting after the item relating to section 717 the following new item:

''718. Congressional testimony by employees: treatment as official duty.''.

SEC. 1097E. REPORT ON METHODS USED TO INVESTIGATE EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) REPORT REQUIRED.—Not later than 540 days after the date of the enactment of this Act, the Assistant Secretary for Accountability and Whistleblower Protection shall submit to the Secretary of Veterans Affairs, the Committee on Veterans' Affairs of the Senate, and the Committee on Veterans' Affairs of the House of Representatives a report on methods used to investigate employees of the Department of Veterans Affairs and whether such methods are used to retaliate against whistleblowers.

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

(1) An assessment of the use of administrative investigation boards, peer review, searches of medical records, and other methods for investigating employees of the Department.

(2) A determination of whether and to what degree the methods described in paragraph (1) are being used to retaliate against whistleblowers.

(3) Recommendations for legislative or administrative action to implement safeguards to prevent the retaliation described in paragraph (2).

(c) WHISTLEBLOWER DEFINED.—In this section, the term ''whistleblower'' has the meaning given such term in section 323 of title 38, United States Code, as added by section 1097B.

SA 4499. Mr. CRUZ 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 part II of subtitle D of title VI, add the following:

SEC. 647. EQUAL BENEFITS UNDER SURVIVOR BENEFIT PLAN FOR SURVIVORS OF RESERVE COMPONENT MEMBERS WHO DIE IN THE LINE OF DUTY DURING INACTIVE-DUTY TRAINING.

(a) TREATMENT OF INACTIVE-DUTY TRAINING IN SAME MANNER AS ACTIVE DUTY.—

(1) IN GENERAL.—Section 1451(c)(1)(A) of title 10, United States Code, is amended—

(A) in clause (i)—

(i) by inserting ''or 1448(f)'' after ''section 1448(d)''; and

(ii) by inserting ''or (iii)'' after ''clause (ii)''; and

(B) in clause (iii)—

(i) by striking ''section 1448(f) of this title'' and inserting ''section 1448(f)(1)(A) of this title by reason of the death of a member or former member not in line of duty''; and

(ii) by striking ''active''.

(2) APPLICATION OF AMENDMENTS.—No annuity benefit under the Survivor Benefit Plan shall accrue to any person by reason of the amendments made by paragraph (1) for any period before the date of the enactment of this Act. With respect to an annuity under the Survivor Benefit Plan for a death occurring on or after September 10, 2001, and before the date of the enactment of this Act, the Secretary concerned shall recompute the benefit amount to reflect such amendments, effective for months beginning after the date of the enactment of this Act.

(b) CONSISTENT TREATMENT OF DEPENDENT CHILDREN.—Section 1448(f) of such title is amended by adding at the end the following new paragraph:

''(5) DEPENDENT CHILDREN ANNUITY.—

''(A) ANNUITY WHEN NO ELIGIBLE SURVIVING SPOUSE.—In the case of a person described in paragraph (1), the Secretary concerned shall pay an annuity under this subchapter to the dependent children of that person under section 1450(a)(2) of this title as applicable.

''(B) OPTIONAL ANNUITY WHEN THERE IS AN ELIGIBLE SURVIVING SPOUSE.—The Secretary may pay an annuity under this subchapter to the dependent children of a person described in paragraph (1) under section 1450(a)(3) of this title, if applicable, instead of paying an annuity to the surviving spouse under paragraph (1), if the Secretary concerned, in consultation with the surviving spouse, determines it appropriate to provide an annuity for the dependent children under this paragraph instead of an annuity for the surviving spouse under paragraph (1).''.

(c) DEEMED ELECTIONS.—

(1) IN GENERAL.—Section 1448(f) of title 10, United States Code, as amended by subsection (b), is further amended by adding at the end the following new paragraph:

''(6) DEEMED ELECTION TO PROVIDE AN ANNUITY FOR DEPENDENT.—In the case of a person described in paragraph (1) who dies after November 23, 2003, the Secretary concerned may, if no other annuity is payable on behalf of that person under this subchapter, pay an annuity to a natural person who has an insurable interest in such person as if the annuity were elected by the person under subsection (b)(1). The Secretary concerned may pay such an annuity under this paragraph only in the case of a person who is a dependent of that deceased person (as defined in section 1072(2) of this title). An annuity under this paragraph shall be computed in the same manner as provided under subparagraph (B) of subsection (d)(6) for an annuity under that subsection.''.

(2) EFFECTIVE DATE.—No annuity payment under paragraph (6) of section 1448(f) of title 10, United States Code, as added by paragraph (1) of this subsection, may be made for any period before the date of the enactment of this Act.

(d) AVAILABILITY OF SPECIAL SURVIVOR INDEMNITY ALLOWANCE.—

(1) AVAILABILITY.—Section 1450(m)(1)(B) of title 10, United States Code, is amended by inserting ''or (f)'' after ''subsection (d)''.

(2) EFFECTIVE DATE.—No payment under section 1450(m) of title 10, United States Code, by reason of the amendment made by paragraph (1) may be made for any period before the date of the enactment of this Act.

SA 4500. Mr. JOHNSON (for himself and Mr. CARPER) 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, add the following:

DIVISION F—DHS ACCOUNTABILITY

SECTION 6001. SHORT TITLE.

This division may be cited as the ''DHS Accountability Act of 2016''.

SEC. 6002. DEFINITIONS.

In this division:

(1) CONGRESSIONAL HOMELAND SECURITY COMMITTEES.—The term ''congressional homeland security committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Subcommittee on Homeland Security of the Committee on Appropriations of the Senate; and

(D) the Subcommittee on Homeland Security of the Committee on Appropriations of the House of Representatives.

(2) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

TITLE LXXI—DEPARTMENT MANAGEMENT AND COORDINATION

SEC. 6101. MANAGEMENT AND EXECUTION.

(a) IN GENERAL.—Section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113) is amended—

(1) in subsection (a)(1)—

(A) by striking subparagraph (F) and inserting the following:

''(F) An Under Secretary for Management, who shall be first assistant to the Deputy Secretary of Homeland Security for purposes of subchapter III of chapter 33 of title 5, United States Code.''; and

(B) by adding at the end the following:

''(K) An Under Secretary for Strategy, Policy, and Plans.''; and

(2) by adding at the end the following:

''(g) VACANCIES.—

''(1) ABSENCE, DISABILITY, OR VACANCY OF SECRETARY OR DEPUTY SECRETARY.—Notwithstanding chapter 33 of title 5, United States Code, the Under Secretary for Management shall serve as the Acting Secretary if by reason of absence, disability, or vacancy in office, neither the Secretary nor Deputy Secretary is available to exercise the duties of the Office of the Secretary.

''(2) FURTHER ORDER OF SUCCESSION.—Notwithstanding chapter 33 of title 5, United States Code, the Secretary may designate such other officers of the Department in further order of succession to serve as Acting Secretary.

''(3) NOTIFICATION OF VACANCIES.—The Secretary shall notify the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives of any vacancies that require notification under sections 3345 through 3349d of title 5, United States Code (commonly known as the 'Federal Vacancies Reform Act of 1998').''.

(b) UNDER SECRETARY FOR MANAGEMENT.—Section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341) is amended—

(1) in subsection (a)—

(A) by striking paragraph (9) and inserting the following:

''(9) The management integration and transformation within each functional management discipline of the Department, including information technology, financial management, acquisition management, and human capital management, to ensure an efficient and orderly consolidation of functions and personnel in the Department, including—

''(A) the development of centralized data sources and connectivity of information systems to the greatest extent practicable to enhance program visibility, transparency, and operational effectiveness and coordination;

''(B) the development of standardized and automated management information to manage and oversee programs and make informed decisions to improve the efficiency of the Department;

''(C) the development of effective program management and regular oversight mechanisms, including clear roles and processes for program governance, sharing of best practices, and access to timely, reliable, and evaluated data on all acquisitions and investments; and

''(D) the overall supervision, including the conduct of internal audits and management analyses, of the programs and activities of the Department, including establishment of oversight procedures to ensure a full and effective review of the efforts by components of the Department to implement policies and procedures of the Department for management integration and transformation.'';

(B) by redesignating paragraphs (10) and (11) as paragraphs (12) and (13), respectively; and

(C) by inserting after paragraph (9) the following:

''(10) The development of a transition and succession plan, before December 1 of each year in which a Presidential election is held, to guide the transition of Department functions to a new Presidential administration, and making such plan available to the next Secretary and Under Secretary for Management and to the congressional homeland security committees.

''(11) Reporting to the Government Accountability Office every 6 months to demonstrate measurable, sustainable progress made in implementing the corrective action plans of the Department to address the designation of the management functions of the Department on the bi-annual high risk list of the Government Accountability Office, until the Comptroller General of the United States submits to the appropriate congressional committees written notification of removal of the high-risk designation.'';

(2) by striking subsection (b) and inserting the following:

''(b) WAIVERS FOR CONDUCTING BUSINESS WITH SUSPENDED OR DEBARRED CONTRACTORS.—Not later than 5 days after the date on which the Chief Procurement Officer or Chief Financial Officer of the Department issues a waiver of the requirement that an agency not engage in business with a contractor or other recipient of funds listed as a party suspended or debarred from receiving contracts, grants, or other types of Federal assistance in the System for Award Management maintained by the General Services Administration, or any successor thereto, the Under Secretary for Management shall submit to the congressional homeland security committees and the Inspector General of the Department notice of the waiver and an explanation of the finding by the Under Secretary that a compelling reason exists for the waiver.'';

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

(4) by inserting after subsection (c) the following:

''(d) SYSTEM FOR AWARD MANAGEMENT CONSULTATION.—The Under Secretary for Management shall require that all Department contracting and grant officials consult the System for Award Management (or successor system) as maintained by the General Services Administration prior to awarding a contract or grant or entering into other transactions to ascertain whether the selected contractor is excluded from receiving Federal contracts, certain subcontracts, and certain types of Federal financial and non-financial assistance and benefits.''.

SEC. 6102. DEPARTMENT COORDINATION.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end the following:

''SEC. 708. DEPARTMENT COORDINATION.

''(a) DEFINITIONS.—In this section—

''(1) the term 'joint duty training program' means the training program established under subsection (e)(9)(A);

''(2) the term 'joint requirement' means a condition or capability of a Joint Task Force, or of multiple operating components of the Department, that is required to be met or possessed by a system, product, service, result, or component to satisfy a contract, standard, specification, or other formally imposed document;

''(3) the term 'Joint Task Force' means a Joint Task Force established under subsection (e) when the scope, complexity, or other factors of the crisis or issue require capabilities of two or more components of the Department operating under the guidance of a single Director; and

''(4) the term 'situational awareness' means knowledge and unified understanding of unlawful cross-border activity, including—

''(A) threats and trends concerning illicit trafficking and unlawful crossings;

''(B) the ability to forecast future shifts in such threats and trends;

''(C) the ability to evaluate such threats and trends at a level sufficient to create actionable plans; and

''(D) the operational capability to conduct continuous and integrated surveillance of the air, land, and maritime borders of the United States.

''(b) DEPARTMENT LEADERSHIP COUNCILS.—

''(1) ESTABLISHMENT.—The Secretary may establish such Department leadership councils as the Secretary determines necessary to ensure coordination among leadership in the Department.

''(2) FUNCTION.—Department leadership councils shall—

''(A) serve as coordinating forums;

''(B) advise the Secretary and Deputy Secretary on Department strategy, operations, and guidance; and

''(C) consider and report on such other matters as the Secretary or Deputy Secretary may direct.

''(3) CHAIRPERSON; MEMBERSHIP.—

''(A) CHAIRPERSON.—The Secretary or a designee may serve as chairperson of a Department leadership council.

''(B) MEMBERSHIP.—The Secretary shall determine the membership of a Department leadership council.

''(4) RELATIONSHIP TO OTHER FORUMS.—The Secretary or Deputy Secretary may delegate the authority to direct the implementation of any decision or guidance resulting from the action of a Department leadership council to any office, component, coordinator, or other senior official of the Department.

''(c) JOINT REQUIREMENTS COUNCIL.—

''(1) ESTABLISHMENT.—There is established within the Department a Joint Requirements Council.

''(2) MISSION.—In addition to other matters assigned to it by the Secretary and Deputy Secretary, the Joint Requirements Council shall—

''(A) identify, assess, and validate joint requirements (including existing systems and associated capability gaps) to meet mission needs of the Department;

''(B) ensure that appropriate efficiencies are made among life-cycle cost, schedule, and performance objectives, and procurement quantity objectives, in the establishment and approval of joint requirements; and

''(C) make prioritized capability recommendations for the joint requirements validated under subparagraph (A) to the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary to review decisions of the Joint Requirements Council.

''(3) CHAIR.—The Secretary shall appoint a chairperson of the Joint Requirements Council, for a term of not more than 2 years, from among senior officials from components of the Department or other senior officials as designated by the Secretary.

''(4) COMPOSITION.—The Joint Requirements Council shall be composed of senior officials representing components of the Department and other senior officials as designated by the Secretary.

''(5) RELATIONSHIP TO FUTURE YEARS HOMELAND SECURITY PROGRAM.—The Secretary shall ensure that the Future Years Homeland Security Program required under section 874 is consistent with the recommendations of the Joint Requirements Council under paragraph (2)(C) of this subsection, as affirmed by the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary under that paragraph.

''(d) JOINT OPERATIONAL PLANS.—

''(1) PLANNING AND GUIDANCE.—The Secretary may direct the development of Joint Operational Plans for the Department and issue planning guidance for such development.

''(2) COORDINATION.—The Secretary shall ensure coordination between requirements derived from Joint Operational Plans and the Future Years Homeland Security Program required under section 874.

''(3) LIMITATION.—Nothing in this subsection shall be construed to affect the national emergency management authorities and responsibilities of the Administrator of the Federal Emergency Management Agency under title V.

''(e) JOINT TASK FORCES.—

''(1) ESTABLISHMENT.—The Secretary may establish and operate Departmental Joint Task Forces to conduct joint operations using personnel and capabilities of the Department.

''(2) JOINT TASK FORCE DIRECTORS.—

''(A) DIRECTOR.—Each Joint Task Force shall be headed by a Director appointed by the Secretary for a term of not more than 2 years, who shall be a senior official of the Department.

''(B) EXTENSION.—The Secretary may extend the appointment of a Director of a Joint Task Force for not more than 2 years if the Secretary determines that such an extension is in the best interest of the Department.

''(3) JOINT TASK FORCE DEPUTY DIRECTORS.—For each Joint Task Force, the Secretary shall appoint a Deputy Director who shall be an official of a different component or office of the Department than the Director of the Joint Task Force.

''(4) RESPONSIBILITIES.—The Director of a Joint Task Force, subject to the oversight, direction, and guidance of the Secretary, shall—

''(A) maintain situational awareness within the areas of responsibility of the Joint Task Force, as determined by the Secretary;

''(B) provide operational plans and requirements for standard operating procedures and contingency operations;

''(C) plan and execute joint task force activities within the areas of responsibility of the Joint Task Force, as determined by the Secretary;

''(D) set and accomplish strategic objectives through integrated operational planning and execution;

''(E) exercise operational direction over personnel and equipment from components and offices of the Department allocated to the Joint Task Force to accomplish the objectives of the Joint Task Force;

''(F) establish operational and investigative priorities within the operating areas of the Joint Task Force;

''(G) coordinate with foreign governments and other Federal, State, and local agencies, as appropriate, to carry out the mission of the Joint Task Force; and

''(H) carry out other duties and powers the Secretary determines appropriate.

''(5) PERSONNEL AND RESOURCES.—

''(A) IN GENERAL.—The Secretary may, upon request of the Director of a Joint Task Force, and giving appropriate consideration of risk to the other primary missions of the Department, allocate on a temporary basis personnel and equipment of components and offices of the Department to a Joint Task Force.

''(B) COST NEUTRALITY.—A Joint Task Force may not require more personnel, equipment, or resources than would be required by components of the Department in the absence of the Joint Task Force.

''(C) LOCATION OF OPERATIONS.—In establishing a location of operations for a Joint Task Force, the Secretary shall, to the extent practicable, use existing facilities that integrate efforts of components of the Department and State, local, tribal, or territorial law enforcement or military entities.

''(D) REPORT.—The Secretary shall, at the time the budget of the President is submitted to Congress for a fiscal year under section 1105(a) of title 31, United States Code, submit to the congressional homeland security committees a report on the total funding, personnel, and other resources that each component of the Department allocated to each Joint Task Force to carry out the mission of the Joint Task Force during the fiscal year immediately preceding the report.

''(6) COMPONENT RESOURCE AUTHORITY.—As directed by the Secretary—

''(A) each Director of a Joint Task Force shall be provided sufficient resources from relevant components and offices of the Department and the authority necessary to carry out the missions and responsibilities required under this section;

''(B) the resources referred to in subparagraph (A) shall be under the operational authority, direction, and control of the Director of the Joint Task Force to which the resources are assigned; and

''(C) the personnel and equipment of each Joint Task Force shall remain under the administrative direction of the executive agent for the Joint Task Force.

''(7) JOINT TASK FORCE STAFF.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.

''(8) ESTABLISHMENT OF PERFORMANCE METRICS.—The Secretary shall—

''(A) establish outcome-based and other appropriate performance metrics to evaluate the effectiveness of each Joint Task Force;

''(B) not later than 120 days after the date of enactment of this section, submit the metrics established under subparagraph (A) to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives; and

''(C) not later than January 31, 2017, and each year thereafter, submit to each committee described in subparagraph (B) a report that contains the evaluation described in subparagraph (A).

''(9) JOINT DUTY TRAINING PROGRAM.—

''(A) IN GENERAL.—The Secretary shall—

''(i) establish a joint duty training program in the Department for the purposes of—

''(I) enhancing coordination within the Department; and

''(II) promoting workforce professional development; and

''(ii) tailor the joint duty training program to improve joint operations as part of the Joint Task Forces.

''(B) ELEMENTS.—The joint duty training program established under subparagraph (A) shall address, at a minimum, the following topics:

''(i) National security strategy.

''(ii) Strategic and contingency planning.

''(iii) Command and control of operations under joint command.

''(iv) International engagement.

''(v) The homeland security enterprise.

''(vi) Interagency collaboration.

''(vii) Leadership.

''(viii) Specific subject matter relevant to the Joint Task Force to which the joint duty training program is assigned.

''(C) TRAINING REQUIRED.—

''(i) DIRECTORS AND DEPUTY DIRECTORS.—Except as provided in clauses (iii) and (iv), an individual shall complete the joint duty training program before being appointed Director or Deputy Director of a Joint Task Force.

''(ii) JOINT TASK FORCE STAFF.—Each official serving on the staff of a Joint Task Force shall complete the joint duty training program within the first year of assignment to the Joint Task Force.

''(iii) EXCEPTION.—Clause (i) shall not apply to the first Director or Deputy Director appointed to a Joint Task Force on or after the date of enactment of this section.

''(iv) WAIVER.—The Secretary may waive clause (i) if the Secretary determines that such a waiver is in the interest of homeland security.

''(10) ESTABLISHING JOINT TASK FORCES.—Subject to paragraph (13), the Secretary may establish Joint Task Forces for the purposes of—

''(A) coordinating and directing operations along the land and maritime borders of the United States;

''(B) cybersecurity; and

''(C) preventing, preparing for, and responding to other homeland security matters, as determined by the Secretary.

''(11) NOTIFICATION OF JOINT TASK FORCE FORMATION.—

''(A) IN GENERAL.—Not later than 90 days before establishing a Joint Task Force under this subsection, the Secretary shall submit a notification to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

''(B) WAIVER AUTHORITY.—The Secretary may waive the requirement under subparagraph (A) in the event of an emergency circumstance that imminently threatens the protection of human life or the protection of property.

''(12) REVIEW.—

''(A) IN GENERAL.—The Inspector General of the Department shall conduct a review of the Joint Task Forces established under this subsection.

''(B) CONTENTS.—The review required under subparagraph (A) shall include—

''(i) an assessment of the effectiveness of the structure of each Joint Task Force; and

''(ii) recommendations for enhancements to that structure to strengthen the effectiveness of the Joint Task Force.

''(C) SUBMISSION.—The Inspector General of the Department shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives—

''(i) an initial report that contains the evaluation described in subparagraph (A) by not later than January 31, 2018; and

''(ii) a second report that contains the evaluation described in subparagraph (A) by not later than January 31, 2021.

''(13) LIMITATION ON JOINT TASK FORCES.—

''(A) IN GENERAL.—The Secretary may not establish a Joint Task Force for any major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or an incident for which the Federal Emergency Management Agency has primary responsibility for management of the response under title V of this Act, including section 504(a)(3)(A), unless the responsibilities of the Joint Task Force—

''(i) do not include operational functions related to incident management, including coordination of operations; and

''(ii) are consistent with the requirements of paragraphs (3) and (4)(A) of section 503(c) and section 509(c) of this Act and section 302 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5143).

''(B) RESPONSIBILITIES AND FUNCTIONS NOT REDUCED.—Nothing in this section shall be construed to reduce the responsibilities or functions of the Federal Emergency Management Agency or the Administrator thereof under title V of this Act and any other provision of law, including the diversion of any asset, function, or mission from the Federal Emergency Management Agency or the Administrator thereof pursuant to section 506.

''(f) JOINT DUTY ASSIGNMENT PROGRAM.—The Secretary may establish a joint duty assignment program within the Department for the purposes of enhancing coordination in the Department and promoting workforce professional development.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 707 the following:

''Sec. 708. Department coordination.''.

SEC. 6103. NATIONAL OPERATIONS CENTER.

Section 515 of the Homeland Security Act of 2002 (6 U.S.C. 321d) is amended—

(1) in subsection (a)—

(A) by striking ''emergency managers and decision makers'' and inserting ''emergency managers, decision makers, and other appropriate officials''; and

(B) by inserting ''and steady-state activity'' before the period at the end;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''and tribal governments'' and inserting ''tribal, and territorial governments, the private sector, and international partners'';

(ii) by striking ''in the event of'' and inserting ''for events, threats, and incidents involving''; and

(iii) by striking ''and'' at the end;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) enter into agreements with other Federal operations centers and other homeland security partners, as appropriate, to facilitate the sharing of information.'';

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

(4) by inserting after subsection (b) the following:

''(c) REPORTING REQUIREMENTS.—Each Federal agency shall provide the National Operations Center with timely information—

''(1) relating to events, threats, and incidents involving a natural disaster, act of terrorism, or other man-made disaster;

''(2) concerning the status and potential vulnerability of the critical infrastructure and key resources of the United States;

''(3) relevant to the mission of the Department ; or

''(4) as may be requested by the Secretary under section 202.''; and

(5) in subsection (d), as so redesignated—

(A) in the subsection heading, by striking ''FIRE SERVICE'' and inserting ''EMERGENCY RESPONDER'';

(B) by striking paragraph (1) and inserting the following:

''(1) ESTABLISHMENT OF POSITIONS.—The Secretary shall establish a position, on a rotating basis, for a representative of State and local emergency responders at the National Operations Center established under subsection (b) to ensure the effective sharing of information between the Federal Government and State and local emergency response services.'';

(C) by striking paragraph (2); and

(D) by redesignating paragraph (3) as paragraph (2).

SEC. 6104. HOMELAND SECURITY ADVISORY COUNCIL.

(a) IN GENERAL.—Section 102(b) of the Homeland Security Act of 2002 (6 U.S.C. 112(b)) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(4) shall establish a Homeland Security Advisory Council to provide advice and recommendations on homeland security and homeland security-related matters.''.

SEC. 6105. STRATEGY, POLICY, AND PLANS.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.), as amended by this Act, is amended by adding at the end the following:

''SEC. 709. OFFICE OF STRATEGY, POLICY, AND PLANS.

''(a) IN GENERAL.—There is established in the Department an Office of Strategy, Policy, and Plans.

''(b) HEAD OF OFFICE.—The Office of Strategy, Policy, and Plans shall be headed by an Under Secretary for Strategy, Policy, and Plans, who shall serve as the principal policy advisor to the Secretary and be appointed by the President, by and with the advice and consent of the Senate.

''(c) FUNCTIONS.—The Office of Strategy, Policy, and Plans shall—

''(1) lead, conduct, and coordinate Department-wide policy development and implementation and strategic planning;

''(2) develop and coordinate policies to promote and ensure quality, consistency, and integration for the programs, offices, and activities across the Department;

''(3) develop and coordinate strategic plans and long-term goals of the Department with risk-based analysis and planning to improve operational mission effectiveness, including leading and conducting the quadrennial homeland security review under section 707;

''(4) manage Department leadership councils and provide analytics and support to such councils;

''(5) manage international coordination and engagement for the Department;

''(6) review and incorporate, as appropriate, external stakeholder feedback into Department policy; and

''(7) carry out such other responsibilities as the Secretary determines appropriate.

''(d) COORDINATION BY DEPARTMENT COMPONENTS.—To ensure consistency with the policy priorities of the Department, the head of each component of the Department shall coordinate with the Office of Strategy, Policy, and Plans in establishing or modifying policies or strategic planning guidance.

''(e) HOMELAND SECURITY STATISTICS AND JOINT ANALYSIS.—

''(1) HOMELAND SECURITY STATISTICS.—The Under Secretary for Strategy, Policy, and Plans shall—

''(A) establish standards of reliability and validity for statistical data collected and analyzed by the Department;

''(B) be provided with statistical data maintained by the Department regarding the operations of the Department;

''(C) conduct or oversee analysis and reporting of such data by the Department as required by law or directed by the Secretary; and

''(D) ensure the accuracy of metrics and statistical data provided to Congress.

''(2) TRANSFER OF RESPONSIBILITIES.—There shall be transferred to the Under Secretary for Strategy, Policy, and Plans the maintenance of all immigration statistical information of U.S. Customs and Border Protection and U.S. Citizenship and Immigration Services, which shall include information and statistics of the type contained in the publication entitled 'Yearbook of Immigration Statistics' prepared by the Office of Immigration Statistics, including region-by-region statistics on the aggregate number of applications and petitions filed by an alien (or filed on behalf of an alien) and denied, and the reasons for such denials, disaggregated by category of denial and application or petition type.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135)is amended by inserting after the item relating to section 708 the following:

''Sec. 709. Office of Strategy, Policy, and Plans.''.

SEC. 6106. AUTHORIZATION OF THE OFFICE FOR PARTNERSHIPS AGAINST VIOLENT EXTREMISM OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) by inserting after section 801 the following:

''SEC. 802. OFFICE FOR PARTNERSHIPS AGAINST VIOLENT EXTREMISM.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Federal Emergency Management Agency.

''(2) ASSISTANT SECRETARY.—The term 'Assistant Secretary' means the Assistant Secretary for Partnerships Against Violent Extremism designated under subsection (c).

''(3) COUNTERING VIOLENT EXTREMISM.—The term 'countering violent extremism' means proactive and relevant actions to counter recruitment, radicalization, and mobilization to violence and to address the immediate factors that lead to violent extremism and radicalization.

''(4) DOMESTIC TERRORISM; INTERNATIONAL TERRORISM.—The terms 'domestic terrorism' and 'international terrorism' have the meanings given those terms in section 2331 of title 18, United States Code.

''(5) RADICALIZATION.—The term 'radicalization' means the process by which an individual chooses to facilitate or commit domestic terrorism or international terrorism.

''(6) VIOLENT EXTREMISM.—The term 'violent extremism' means international or domestic terrorism.

''(b) ESTABLISHMENT.—There is in the Department an Office for Partnerships Against Violent Extremism.

''(c) HEAD OF OFFICE.—The Office for Partnerships Against Violent Extremism shall be headed by an Assistant Secretary for Partnerships Against Violent Extremism, who shall be designated by the Secretary and report directly to the Secretary.

''(d) DEPUTY ASSISTANT SECRETARY; ASSIGNMENT OF PERSONNEL.—The Secretary shall—

''(1) designate a career Deputy Assistant Secretary for Partnerships Against Violent Extremism; and

''(2) assign or hire, as appropriate, permanent staff to the Office for Partnerships Against Violent Extremism.

''(e) RESPONSIBILITIES.—

''(1) IN GENERAL.—The Assistant Secretary shall be responsible for the following:

''(A) Leading the efforts of the Department to counter violent extremism across all the components and offices of the Department that conduct strategic and supportive efforts to counter violent extremism. Such efforts shall include the following:

''(i) Partnering with communities to address vulnerabilities that can be exploited by violent extremists in the United States and explore potential remedies for government and nongovernment institutions.

''(ii) Working with civil society groups and communities to counter violent extremist propaganda, messaging, or recruitment.

''(iii) In coordination with the Office for Civil Rights and Civil Liberties of the Department, managing the outreach and engagement efforts of the Department directed toward communities at risk for radicalization and recruitment for violent extremist activities.

''(iv) Ensuring relevant information, research, and products inform efforts to counter violent extremism.

''(v) Developing and maintaining Department-wide strategy, plans, policies, and programs to counter violent extremism. Such plans shall, at a minimum, address each of the following:

''(I) The Department's plan to leverage new and existing Internet and other technologies and social media platforms to improve nongovernment efforts to counter violent extremism, as well as the best practices and lessons learned from other Federal, State, local, tribal, territorial, and foreign partners engaged in similar counter-messaging efforts.

''(II) The Department's countering violent extremism-related engagement efforts.

''(III) The use of cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for efforts relating to countering violent extremism.

''(vi) Coordinating with the Office for Civil Rights and Civil Liberties of the Department to ensure all of the activities of the Department related to countering violent extremism fully respect the privacy, civil rights, and civil liberties of all persons.

''(vii) In coordination with the Under Secretary for Science and Technology and in consultation with the Under Secretary for Intelligence and Analysis, identifying and recommending new empirical research and analysis requirements to ensure the dissemination of information and methods for Federal, State, local, tribal, and territorial countering violent extremism practitioners, officials, law enforcement personnel, and nongovernmental partners to utilize such research and analysis.

''(viii) Assessing the methods used by violent extremists to disseminate propaganda and messaging to communities at risk for recruitment by violent extremists.

''(B) Developing a digital engagement strategy that expands the outreach efforts of the Department to counter violent extremist messaging by—

''(i) exploring ways to utilize relevant Internet and other technologies and social media platforms; and

''(ii) maximizing other resources available to the Department.

''(C) Serving as the primary representative of the Department in coordinating countering violent extremism efforts with other Federal departments and agencies and nongovernmental organizations.

''(D) Serving as the primary Department-level representative in coordinating with the Department of State on international countering violent extremism issues.

''(E) In coordination with the Administrator, providing guidance regarding the use of grants made to State, local, and tribal governments under sections 2003 and 2004 under the allowable uses guidelines related to countering violent extremism.

''(F) Developing a plan to expand philanthropic support for domestic efforts related to countering violent extremism, including by identifying viable community projects and needs for possible philanthropic support.

''(2) COMMUNITIES AT RISK.—For purposes of this subsection, the term 'communities at risk' shall not include a community that is determined to be at risk solely on the basis of race, religious affiliation, or ethnicity.

''(f) STRATEGY TO COUNTER VIOLENT EXTREMISM IN THE UNITED STATES.—

''(1) STRATEGY.—Not later than 90 days after the date of enactment of this section, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives a comprehensive Department strategy to counter violent extremism in the United States.

''(2) CONTENTS OF STRATEGY.—The strategy required under paragraph (1) shall, at a minimum, address each of the following:

''(A) The Department's digital engagement effort, including a plan to leverage new and existing Internet, digital, and other technologies and social media platforms to counter violent extremism, as well as the best practices and lessons learned from other Federal, State, local, tribal, territorial, nongovernmental, and foreign partners engaged in similar counter-messaging activities.

''(B) The Department's countering violent extremism-related engagement and outreach activities.

''(C) The use of cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for activities relating to countering violent extremism.

''(D) Ensuring all activities related to countering violent extremism adhere to relevant Department and applicable Department of Justice guidance regarding privacy, civil rights, and civil liberties, including safeguards against discrimination.

''(E) The development of qualitative and quantitative outcome-based metrics to evaluate the Department's programs and policies to counter violent extremism.

''(F) An analysis of the homeland security risk posed by violent extremism based on the threat environment and empirical data assessing terrorist activities and incidents, and

violent extremist propaganda, messaging, or recruitment.

''(G) Information on the Department's near-term, mid-term, and long-term risk-based goals for countering violent extremism, reflecting the risk analysis conducted under subparagraph (F).

''(3) STRATEGIC CONSIDERATIONS.—In drafting the strategy required under paragraph (1), the Secretary shall consider including the following:

''(A) Departmental efforts to undertake research to improve the Department's understanding of the risk of violent extremism and to identify ways to improve countering violent extremism activities and programs, including outreach, training, and information sharing programs.

''(B) The Department's nondiscrimination policies as they relate to countering violent extremism.

''(C) Departmental efforts to help promote community engagement and partnerships to counter violent extremism in furtherance of the strategy.

''(D) Departmental efforts to help increase support for programs and initiatives to counter violent extremism of other Federal, State, local, tribal, territorial, nongovernmental, and foreign partners that are in furtherance of the strategy, and which adhere to all relevant constitutional, legal, and privacy protections.

''(E) Departmental efforts to disseminate to local law enforcement agencies and the general public information on resources, such as training guidance, workshop reports, and the violent extremist threat, through multiple platforms, including the development of a dedicated webpage, and information regarding the effectiveness of those efforts.

''(F) Departmental efforts to use cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for efforts relating to countering violent extremism, and information regarding the effectiveness of those efforts.

''(G) Information on oversight mechanisms and protections to ensure that activities and programs undertaken pursuant to the strategy adhere to all relevant constitutional, legal, and privacy protections.

''(H) Departmental efforts to conduct oversight of all countering violent extremism training and training materials and other resources developed or funded by the Department.

''(I) Departmental efforts to foster transparency by making, to the extent practicable, all regulations, guidance, documents, policies, and training materials publicly available, including through any webpage developed under subparagraph (E).

''(4) STRATEGIC IMPLEMENTATION PLAN.—

''(A) IN GENERAL.—Not later than 90 days after the date on which the Secretary submits the strategy required under paragraph (1), the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives an implementation plan for each of the components and offices of the Department with responsibilities under the strategy.

''(B) CONTENTS.—The implementation plan required under subparagraph (A) shall include an integrated master schedule and cost estimate for activities and programs contained in the implementation plan, with specificity on how each such activity and program aligns with near-term, mid-term, and long-term goals specified in the strategy required under paragraph (1).

''(g) ANNUAL REPORT.—Not later than April 1, 2017, and annually thereafter, the Assistant Secretary shall submit to Congress an annual report on the Office for Partnerships Against Violent Extremism, which shall include the following:

''(1) A description of the status of the programs and policies of the Department for countering violent extremism in the United States.

''(2) A description of the efforts of the Office for Partnerships Against Violent Extremism to cooperate with and provide assistance to other Federal departments and agencies.

''(3) Qualitative and quantitative metrics for evaluating the success of such programs and policies and the steps taken to evaluate the success of such programs and policies.

''(4) An accounting of—

''(A) grants and cooperative agreements awarded by the Department to counter violent extremism; and

''(B) all training specifically aimed at countering violent extremism sponsored by the Department.

''(5) An analysis of how the Department's activities to counter violent extremism correspond and adapt to the threat environment.

''(6) A summary of how civil rights and civil liberties are protected in the Department's activities to counter violent extremism.

''(7) An evaluation of the use of section 2003 and section 2004 grants and cooperative agreements awarded to support efforts of local communities in the United States to counter violent extremism, including information on the effectiveness of such grants and cooperative agreements in countering violent extremism.

''(8) A description of how the Office for Partnerships Against Violent Extremism incorporated lessons learned from the countering violent extremism programs and policies of foreign, State, local, tribal, and territorial governments and stakeholder communities.

''(h) ANNUAL REVIEW.—Not later than 1 year after the date of enactment of this section, and every year thereafter, the Office for Civil Rights and Civil Liberties of the Department shall—

''(1) conduct a review of the Office for Partnerships Against Violent Extremism activities to ensure that all of the activities of the Office related to countering violent extremism respect the privacy, civil rights, and civil liberties of all persons; and

''(2) make publicly available on the website of the Department a report containing the results of the review conducted under paragraph (1).''; and

(2) in section 2008(b)(1)—

(A) in subparagraph (A), by striking ''or'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(C) to support any organization or group which has knowingly or recklessly funded domestic terrorism or international terrorism (as those terms are defined in section 2331 of title 18, United States Code) or organization or group known to engage in or recruit to such activities, as determined by the Assistant Secretary for Partnerships Against Violent Extremism in consultation with the Administrator and the heads of other appropriate Federal departments and agencies.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135)is amended by inserting after the item relating to section 801 the following:

''Sec. 802. Office for Partnerships Against Violent Extremism.''.

(c) SUNSET.—Effective on the date that is 7 years after the date of enactment of this Act—

(1) section 802 of the Homeland Security Act of 2002, as added by subsection (a), is repealed; and

(2) the table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 802.

TITLE LXXII—DEPARTMENT ACCOUNTABILITY, EFFICIENCY, AND WORKFORCE REFORMS

SEC. 6201. DUPLICATION REVIEW.

(a) IN GENERAL.—The Secretary shall—

(1) not later than 1 year after the date of enactment of this Act, complete a review of the international affairs offices, functions, and responsibilities of the Department to identify and eliminate areas of unnecessary duplication; and

(2) not later than 30 days after the date on which the Secretary completes the review under paragraph (1), provide the results of the review to the congressional homeland security committees.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the congressional homeland security committees an action plan, including corrective steps and an estimated date of completion, to address areas of duplication, fragmentation, and overlap and opportunities for cost savings and revenue enhancement, as identified by the Government Accountability Office based on the annual report of the Government Accountability Office entitled ''Additional Opportunities to Reduce Fragmentation, Overlap, and Duplication and Achieve Other Financial Benefits''.

(c) EXCLUSION.—This section shall not apply to international activities related to the protective mission of the United States Secret Service, or to the Coast Guard when operating under the direct authority of the Secretary of Defense or the Secretary of the Navy.

SEC. 6202. INFORMATION TECHNOLOGY STRATEGIC PLAN.

(a) IN GENERAL.—Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343) is amended by adding at the end the following:

''(c) STRATEGIC PLANS.—Consistent with the timing set forth in section 306(a) of title 5, United States Code, and the requirements under section 3506 of title 44, United States Code, the Chief Information Officer shall develop, make public, and submit to the congressional homeland security committees an information technology strategic plan, which shall include how—

''(1) information technology will be leveraged to meet the priority goals and strategic objectives of the Department;

''(2) the budget of the Department aligns with priorities specified in the information technology strategic plan;

''(3) unnecessarily duplicative, legacy, and outdated information technology within and across the Department will be identified and eliminated, and an estimated date for the identification and elimination of duplicative information technology within and across the Department;

''(4) the Chief Information Officer will coordinate with components of the Department to ensure that information technology policies are effectively and efficiently implemented across the Department;

''(5) a list of information technology projects, including completion dates, will be made available to the public and Congress;

''(6) the Chief Information Officer will inform Congress of high risk projects and cybersecurity risks; and

''(7) the Chief Information Officer plans to maximize the use and purchase of commercial off-the-shelf information technology products and services.''.

SEC. 6203. SOFTWARE LICENSING.

(a) IN GENERAL.—Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343), as amended by section 6202 of this Act, is amended by adding at the end the following:

''(d) SOFTWARE LICENSING.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, and every 2 years thereafter, the Chief Information Officer, in consultation with Chief Information Officers of components of the Department, shall—

''(A) conduct a Department-wide inventory of all existing software licenses held by the Department, including utilized and unutilized licenses;

''(B) assess the needs of the Department for software licenses for the subsequent 2 fiscal years;

''(C) assess the actions that could be carried out by the Department to achieve the greatest possible economies of scale and cost savings in the procurement of software licenses;

''(D) determine how the use of technological advancements will impact the needs for software licenses for the subsequent 2 fiscal years;

''(E) establish plans and estimated costs for eliminating unutilized software licenses for the subsequent 2 fiscal years; and

''(F) consult with the Federal Chief Information Officer to identify best practices in the Federal Government for purchasing and maintaining software licenses.

''(2) EXCESS SOFTWARE LICENSING.—

''(A) PLAN TO REDUCE SOFTWARE LICENSES.—If the Chief Information Officer determines through the inventory conducted under paragraph (1)(A) that the number of software licenses held by the Department exceed the needs of the Department as assessed under paragraph (1)(B), the Secretary, not later than 90 days after the date on which the inventory is completed, shall establish a plan for bringing the number of such software licenses into balance with such needs of the Department.

''(B) PROHIBITION ON PROCUREMENT OF EXCESS SOFTWARE LICENSES.—

''(i) IN GENERAL.—Except as provided in clause (ii), upon completion of a plan established under subparagraph (A), no additional budgetary resources may be obligated for the procurement of additional software licenses of the same types until such time as the needs of the Department equals or exceeds the number of used and unused licenses held by the Department.

''(ii) EXCEPTION.—The Chief Information Officer may authorize the purchase of additional licenses and amend the number of needed licenses as necessary.

''(3) SUBMISSION TO CONGRESS.—The Chief Information Officer shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a copy of each inventory conducted under paragraph (1)(A), each plan established under paragraph (2)(A), and each exception exercised under paragraph (2)(B)(ii).''.

(b) GAO REVIEW.—Not later than 1 year after the date on which the results of the first inventory are submitted to Congress under subsection 703(d) of the Homeland Security Act of 2002, as added by subsection (a), the Comptroller General of the United States shall assess whether the Department complied with the requirements under paragraphs (1) and (2)(A) of such section 703(d) and provide the results of the review to the congressional homeland security committees.

SEC. 6204. WORKFORCE STRATEGY.

Section 704 of the Homeland Security Act of 2002 (6 U.S.C. 343) is amended to read as follows:

''SEC. 704. CHIEF HUMAN CAPITAL OFFICER.

''(a) IN GENERAL.—There is a Chief Human Capital Officer of the Department, who shall report directly to the Under Secretary for Management.

''(b) RESPONSIBILITIES.—In addition to the responsibilities set forth in chapter 14 of title 5, United States Code, and other applicable law, the Chief Human Capital Officer of the Department shall—

''(1) develop and implement strategic workforce planning policies that are consistent with Government-wide leading principles and in line with Department strategic human capital goals and priorities;

''(2) develop performance measures to provide a basis for monitoring and evaluating Department-wide strategic workforce planning efforts;

''(3) develop, improve, and implement policies, including compensation flexibilities available to Federal agencies where appropriate, to recruit, hire, train, and retain the workforce of the Department, in coordination with all components of the Department;

''(4) identify methods for managing and overseeing human capital programs and initiatives, in coordination with the head of each component of the Department;

''(5) develop a career path framework and create opportunities for leader development in coordination with all components of the Department;

''(6) lead the efforts of the Department for managing employee resources, including training and development opportunities, in coordination with each component of the Department;

''(7) work to ensure the Department is implementing human capital programs and initiatives and effectively educating each component of the Department about these programs and initiatives;

''(8) identify and eliminate unnecessary and duplicative human capital policies and guidance;

''(9) provide input concerning the hiring and performance of the Chief Human Capital Officer or comparable official in each component of the Department; and

''(10) ensure that all employees of the Department are informed of their rights and remedies under chapters 12 and 23 of title 5, United States Code.

''(c) COMPONENT STRATEGIES.—

''(1) IN GENERAL.—Each component of the Department shall, in coordination with the Chief Human Capital Officer of the Department, develop a 5-year workforce strategy for the component that will support the goals, objectives, and performance measures of the Department for determining the proper balance of Federal employees and private labor resources.

''(2) STRATEGY REQUIREMENTS.—In developing the strategy required under paragraph (1), each component shall consider the effect on human resources associated with creating additional Federal full-time equivalent positions, converting private contractors to Federal employees, or relying on the private sector for goods and services, including—

''(A) hiring projections, including occupation and grade level, as well as corresponding salaries, benefits, and hiring or retention bonuses;

''(B) the identification of critical skills requirements over the 5-year period, any current or anticipated deficiency in critical skills required at the Department, and the training or other measures required to address those deficiencies in skills;

''(C) recruitment of qualified candidates and retention of qualified employees;

''(D) supervisory and management requirements;

''(E) travel and related personnel support costs;

''(F) the anticipated cost and impact on mission performance associated with replacing Federal personnel due to their retirement or other attrition; and

''(G) other appropriate factors.

''(d) ANNUAL SUBMISSION.—Not later than 90 days after the date on which the Secretary submits the annual budget justification for the Department, the Secretary shall submit to the congressional homeland security committees a report that includes a table, delineated by component with actual and enacted amounts, including—

''(1) information on the progress within the Department of fulfilling the workforce strategies developed under subsection (c); and

''(2) the number of on-board staffing for Federal employees from the prior fiscal year;

''(3) the total contract hours submitted by each prime contractor as part of the service contract inventory required under section 743 of the Financial Services and General Government Appropriations Act, 2010 (division C of Public Law 111–117; 31 U.S.C. 501 note) with respect to—

''(A) support service contracts;

''(B) federally funded research and development center contracts; and

''(C) science, engineering, technical, and administrative contracts; and

''(4) the number of full-time equivalent personnel identified under the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4701 et seq.).''.

SEC. 6205. WHISTLEBLOWER PROTECTIONS.

(a) IN GENERAL.—Section 883 of the Homeland Security Act of 2002 (6 U.S.C. 463) is amended to read as follows:

''SEC. 883. WHISTLEBLOWER PROTECTIONS.

''(a) DEFINITIONS.—In this section—

''(1) the term 'new employee' means an individual—

''(A) appointed to a position as an employee of the Department on or after the date of enactment of the DHS Accountability Act of 2016; and

''(B) who has not previously served as an employee of the Department;

''(2) the term 'prohibited personnel action' means taking or failing to take an action in violation of paragraph (8) or (9) of section 2302(b) of title 5, United States Code, against an employee of the Department;

''(3) the term 'supervisor' means a supervisor, as defined under section 7103(a) of title 5, United States Code, who is employed by the Department; and

''(4) the term 'whistleblower protections' means the protections against and remedies for a prohibited personnel practice described in paragraph (8) or subparagraph (A)(i), (B), (C), or (D) of paragraph (9) of section 2302(b) of title 5, United States Code.

''(b) ADVERSE ACTIONS.—

''(1) PROPOSED ADVERSE ACTIONS.—In accordance with paragraph (2), the Secretary shall propose against a supervisor whom the Secretary, an administrative law judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or the Inspector General of the Department determines committed a prohibited personnel action the following adverse actions:

''(A) With respect to the first prohibited personnel action, an adverse action that is not less than a 12-day suspension.

''(B) With respect to the second prohibited personnel action, removal.

''(2) PROCEDURES.—

''(A) NOTICE.—A supervisor against whom an adverse action under paragraph (1) is proposed is entitled to written notice.

''(B) ANSWER AND EVIDENCE.—

''(i) IN GENERAL.—A supervisor who is notified under subparagraph (A) that the supervisor is the subject of a proposed adverse action under paragraph (1) is entitled to 14 days following such notification to answer and furnish evidence in support of the answer.

''(ii) NO EVIDENCE.—After the end of the 14-day period described in clause (i), if a supervisor does not furnish evidence as described in clause (i) or if the Secretary determines that such evidence is not sufficient to reverse the proposed adverse action, the Secretary shall carry out the adverse action.

''(C) SCOPE OF PROCEDURES.—Paragraphs (1) and (2) of subsection (b) and subsection (c) of section 7513 of title 5, United States Code, and paragraphs (1) and (2) of subsection (b) and subsection (c) of section 7543 of title 5, United States Code, shall not apply with respect to an adverse action carried out under this subsection.

''(3) NO LIMITATION ON OTHER ADVERSE ACTIONS.—With respect to a prohibited personnel action, if the Secretary carries out an adverse action against a supervisor under another provision of law, the Secretary may carry out an additional adverse action under this subsection based on the same prohibited personnel action.

''(c) TRAINING FOR SUPERVISORS.—In consultation with the Special Counsel and the Inspector General of the Department, the Secretary shall provide training regarding how to respond to complaints alleging a violation of whistleblower protections available to employees of the Department—

''(1) to employees appointed to supervisory positions in the Department who have not previously served as a supervisor; and

''(2) on an annual basis, to all employees of the Department serving in a supervisory position.

''(d) INFORMATION ON WHISTLEBLOWER PROTECTIONS.—

''(1) RESPONSIBILITIES OF SECRETARY.—The Secretary shall be responsible for—

''(A) the prevention of prohibited personnel practices;

''(B) the compliance with and enforcement of applicable civil service laws, rules, and regulations and other aspects of personnel management; and

''(C) ensuring (in consultation with the Special Counsel and the Inspector General of the Department) that employees of the Department are informed of the rights and remedies available to them under chapters 12 and 23 of title 5, United States Code, including—

''(i) information regarding whistleblower protections available to new employees during the probationary period;

''(ii) the role of the Office of Special Counsel and the Merit Systems Protection Board with regard to whistleblower protections; and

''(iii) how to make a lawful disclosure of information that is specifically required by law or Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs to the Special Counsel, the Inspector General of the Department, Congress, or other Department employee designated to receive such disclosures.

''(2) TIMING.—The Secretary shall ensure that the information required to be provided under paragraph (1) is provided to each new employee not later than 6 months after the date the new employee is appointed.

''(3) INFORMATION ONLINE.—The Secretary shall make available information regarding whistleblower protections applicable to employees of the Department on the public website of the Department, and on any online portal that is made available only to employees of the Department.

''(4) DELEGEES.—Any employee to whom the Secretary delegates authority for personnel management, or for any aspect thereof, shall, within the limits of the scope of the delegation, be responsible for the activities described in paragraph (1).

''(e) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to exempt the Department from requirements applicable with respect to executive agencies—

''(1) to provide equal employment protection for employees of the Department (including pursuant to section 2302(b)(1) of title 5, United States Code, and the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note)); or

''(2) to provide whistleblower protections for employees of the Department (including pursuant to paragraphs (8) and (9) of section 2302(b) of title 5, United States Code, and the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note)).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 883 and inserting the following:

''Sec. 883. Whistleblower protections.''.

SEC. 6206. COST SAVINGS AND EFFICIENCY REVIEWS.

Not later than 2 years after the date of enactment of this Act, the Secretary, acting through the Under Secretary for Management, shall submit to the congressional homeland security committees a report, which may include a classified or other appropriately controlled annex containing any information required to be submitted under this section that is restricted from public disclosure in accordance with Federal law, including information that is not publicly releasable, that—

(1) provides a detailed accounting of the management and administrative expenditures and activities of each component of the Department and identifies potential cost savings, avoidances, and efficiencies for those expenditures and activities;

(2) examines major physical assets of the Department, as defined by the Secretary;

(3) reviews the size, experience level, and geographic distribution of the operational personnel of the Department;

(4) makes recommendations for adjustments in the management and administration of the Department that would reduce deficiencies in the capabilities of the Department, reduce costs, and enhance efficiencies; and

(5) examines—

(A) how employees who carry out management and administrative functions at Department headquarters coordinate with employees who carry out similar functions at—

(i) each component of the Department;

(ii) the Office of Personnel Management; and

(iii) the General Services Administration; and

(B) whether any unnecessary duplication, overlap, or fragmentation exists with respect to those functions.

SEC. 6207. ABOLISHMENT OF CERTAIN OFFICES.

(a) ABOLISHMENT OF THE DIRECTOR OF SHARED SERVICES.—The position of Director of Shared Services in the Department is abolished.

(b) ABOLISHMENT OF THE OFFICE OF COUNTERNARCOTICS ENFORCEMENT.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) in section 843(b)(1)(B) (6 U.S.C. 413(b)(1)(B)), by striking ''by—'' and all that follows through the end and inserting ''by the Secretary; and'';

(2) by repealing section 878 (6 U.S.C. 458); and

(3) in the table of contents in section 1(b) (Public Law 107–296; 116 Stat. 2135), by striking the item relating to section 878.

TITLE LXXIII—DEPARTMENT TRANSPARENCY AND ASSESSMENTS

SEC. 6301. HOMELAND SECURITY STATISTICS.

Section 478(a) of the Homeland Security Act of 2002 (6 U.S.C. 298(a)) is amended—

(1) in paragraph (1), by striking ''to the Committees on the Judiciary and Government Reform of the House of Representatives, and to the Committees on the Judiciary and Government Affairs of the Senate,'' and inserting ''the Committee on the Judiciary of the Senate, the Committee on the Judiciary of the House of Representatives, and the congressional homeland security committees''; and

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

''(I) The number of persons known to have overstayed the terms of their visa, by visa type.

''(J) An estimated percentage of persons believed to have overstayed their visa, by visa type.

''(K) A description of immigration enforcement actions.''.

SEC. 6302. ANNUAL HOMELAND SECURITY ASSESSMENT.

(a) IN GENERAL.—Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) is amended by adding at the end the following:

''SEC. 210G. ANNUAL HOMELAND SECURITY ASSESSMENT.

''(a) DEPARTMENT ANNUAL ASSESSMENT.—

''(1) IN GENERAL.—Not later than March 31 of each year beginning in the year after the date of enactment of this section, and each year thereafter for 7 years, the Under Secretary for Intelligence and Analysis shall prepare and submit to the congressional homeland security committees a report assessing the current threats to homeland security and the capability of the Department to address those threats.

''(2) FORM OF REPORT.—In carrying out paragraph (1), the Under Secretary for Intelligence and Analysis shall submit an unclassified report, and as necessary, a classified annex.

''(b) OFFICE OF INSPECTOR GENERAL ANNUAL ASSESSMENT.—Not later than 90 days after the date on which a report required under subsection (a) is submitted to the congressional homeland security committees, the Inspector General of the Department shall prepare and submit to the congressional homeland security committees a report, which shall include an assessment of the capability of the Department to address the threats identified in the report required under subsection (a) and recommendations for actions to mitigate those threats.

''(c) MITIGATION PLAN.—Not later than 90 days after the date on which a report required under subsection (b) is submitted to the congressional homeland security committees, the Secretary shall submit to the congressional homeland security committees a plan to mitigate the threats to homeland security identified in the report.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 210F the following:

''Sec. 210G. Annual homeland security assessment.''.

SEC. 6303. DEPARTMENT TRANSPARENCY.

(a) FEASIBILITY STUDY.—The Administrator of the Federal Emergency Management Agency shall initiate a study to determine the feasibility of gathering data and providing information to Congress on the use of Federal grant awards, for expenditures of more than $5,000, by entities that receive a Federal grant award under the Urban Area Security Initiative and the State Homeland Security Grant Program under sections 2003 and 2004 of the Homeland Security Act of 2002 (6 U.S.C. 604 and 605), respectively.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to the congressional homeland security committees a report on the results of the study required under subsection (a).

SEC. 6304. TRANSPARENCY IN RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.) is amended by adding at the end the following:

''SEC. 319. TRANSPARENCY IN RESEARCH AND DEVELOPMENT.

''(a) REQUIREMENT TO PUBLICLY LIST UNCLASSIFIED RESEARCH & DEVELOPMENT PROGRAMS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall maintain a detailed list, accessible on the website of the Department, of—

''(A) each research and development project that is not classified, and all appropriate details for each such project, including the component of the Department responsible for the project;

''(B) each task order for a Federally Funded Research and Development Center not associated with a research and development project; and

''(C) each task order for a University-based center of excellence not associated with a research and development project.

''(2) EXCEPTIONS.—

''(A) OPERATIONAL SECURITY.—The Secretary, or a designee of the Secretary with the rank of Assistant Secretary or above, may exclude a project from the list required under paragraph (1) if the Secretary or such designee provides to the appropriate congressional committees—

''(i) the information that would otherwise be required to be publicly posted under paragraph (1); and

''(ii) a written certification that—

''(I) the information that would otherwise be required to be publicly posted under paragraph (1) is controlled unclassified information, the public dissemination of which would jeopardize operational security; and

''(II) the publicly posted list under paragraph (1) includes as much information about the program as is feasible without jeopardizing operational security.

''(B) COMPLETED PROJECTS.—Paragraph (1) shall not apply to a project completed or otherwise terminated before the date of enactment of this section.

''(3) DEADLINE AND UPDATES.—The list required under paragraph (1) shall be—

''(A) made publicly accessible on the website of the Department not later than 1 year after the date of enactment of this section; and

''(B) updated as frequently as possible, but not less frequently than once per quarter.

''(4) DEFINITION OF RESEARCH AND DEVELOPMENT.—For purposes of the list required under paragraph (1), the Secretary shall publish a definition for the term 'research and development' on the website of the Department.

''(b) REQUIREMENT TO REPORT TO CONGRESS ON CLASSIFIED PROJECTS.—Not later than January 1, 2017, and annually thereafter, the Secretary shall submit to the appropriate congressional committees a report that lists each ongoing classified project at the Department, including all appropriate details of each such project.

''(c) INDICATORS OF SUCCESS OF TRANSITIONED PROJECTS.—

''(1) IN GENERAL.—For each project that has been transitioned from research and development to practice, the Under Secretary for Science and Technology shall develop and track indicators to demonstrate the uptake of the technology or project among customers or end-users.

''(2) REQUIREMENT.—To the fullest extent possible, the tracking of a project required under paragraph (1) shall continue for the 3-year period beginning on the date on which the project was transitioned from research and development to practice.

''(3) INDICATORS.—The indicators developed and tracked under this subsection shall be included in the list required under subsection (a).

''(d) DEFINITIONS.—In this section:

''(1) ALL APPROPRIATE DETAILS.—The term 'all appropriate details' means—

''(A) the name of the project, including both classified and unclassified names if applicable;

''(B) the name of the component carrying out the project;

''(C) an abstract or summary of the project;

''(D) funding levels for the project;

''(E) project duration or timeline;

''(F) the name of each contractor, grantee, or cooperative agreement partner involved in the project;

''(G) expected objectives and milestones for the project; and

''(H) to the maximum extent practicable, relevant literature and patents that are associated with the project.

''(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(B) the Committee on Homeland Security of the House of Representatives; and

''(C) the Committee on Oversight and Government Reform of House of Representatives.

''(3) CLASSIFIED.—The term 'classified' means anything containing—

''(A) classified national security information as defined in section 6.1 of Executive Order 13526 (50 U.S.C. 3161 note) or any successor order;

''(B) Restricted Data or data that was formerly Restricted Data, as defined in section 11y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y));

''(C) material classified at the Sensitive Compartmented Information (SCI) level as defined in section 309 of the Intelligence Authorization Act for Fiscal Year 2001 (50 U.S.C. 3345); or

''(D) information relating to a special access program, as defined in section 6.1 of Executive Order 13526 (50 U.S.C. 3161 note) or any successor order.

''(4) CONTROLLED UNCLASSIFIED INFORMATION.—The term 'controlled unclassified information' means information described as 'Controlled Unclassified Information' under Executive Order 13556 (50 U.S.C. 3501 note) or any successor order.

''(5) PROJECT.—The term 'project' means a research or development project, program, or activity administered by the Department, whether ongoing, completed, or otherwise terminated.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 318 the following:

''Sec. 319. Transparency in research and development.''.

SEC. 6305. REPORTING ON NATIONAL BIO AND AGRO-DEFENSE FACILITY.

(a) IN GENERAL.—Section 310 of the Homeland Security Act of 2002 (6 U.S.C. 190) is amended by adding at the end the following:

''(e) SUCCESSOR FACILITY.—The National Bio and Agro-Defense Facility, the planned successor facility to the Plum Island Animal Disease Center as of the date of enactment of this subsection, shall be subject to the requirements under subsections (b), (c), and (d) in the same manner and to the same extent as the Plum Island Animal Disease Center.

''(f) CONSTRUCTION OF THE NATIONAL BIO AND AGRO-DEFENSE FACILITY.—

''(1) REPORT REQUIRED.—Not later than September 30, 2016, and not less frequently than twice each year thereafter, the Secretary of Homeland Security and the Secretary of Agriculture shall submit to the congressional homeland security committees a report on the National Bio and Agro-Defense Facility that includes—

''(A) a review of the status of the construction of the National Bio and Agro-Defense Facility, including—

''(i) current cost and schedule estimates;

''(ii) any revisions to previous estimates described in clause (i); and

''(iii) total obligations to date;

''(B) a description of activities carried out to prepare for the transfer of research to the facility and the activation of that research; and

''(C) a description of activities that have occurred to decommission the Plum Island Animal Disease Center.

''(2) SUNSET.—The reporting requirement under paragraph (1) shall terminate on the date that is 1 year after the date on which the Secretary of Homeland Security certifies to the congressional homeland security committees that construction of the National Bio and Agro-Defense Facility has been completed.''.

(b) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall initiate a review of and submit to Congress a report on the construction and future planning of the National Bio and Agro-Defense Facility, which shall include—

(1) the extent to which cost and schedule estimates for the project conform to capital planning leading practices as determined by the Comptroller General;

(2) the extent to which the project's planning, budgeting, acquisition, and proposed management in use conform to capital planning leading practices as determined by the Comptroller General; and

(3) the extent to which disposal of the Plum Island Animal Disease Center conforms to capital planning leading practices as determined by the Comptroller General.

SEC. 6306. INSPECTOR GENERAL OVERSIGHT OF SUSPENSION AND DEBARMENT.

Not later than 3 years after the date of enactment of this Act, the Inspector General of the Department shall—

(1) audit the award of grants and procurement contracts to identify—

(A) instances in which a grant or contract was improperly awarded to a suspended or debarred entity; and

(B) whether corrective actions were taken following such instances to prevent recurrence; and

(2) review the suspension and debarment program throughout the Department to assess whether—

(A) suspension and debarment criteria are consistently applied throughout the Department; and

(B) disparities exist in the application of the criteria, particularly with respect to business size and category.

SEC. 6307. FUTURE YEARS HOMELAND SECURITY PROGRAM.

(a) IN GENERAL.—Section 874 of the Homeland Security Act of 2002 (6 U.S.C. 454) is amended—

(1) in the section heading, by striking ''**YEAR**'' and inserting ''**YEARS**'';

(2) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—Not later than 60 days after the date on which the budget of the President is submitted to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives (referred to in this section as the 'appropriate committees') a Future Years Homeland Security Program that covers the fiscal year for which the budget is submitted and the 4 succeeding fiscal years.''; and

(3) by striking subsection (c) and inserting the following:

''(c) PROJECTION OF ACQUISITION ESTIMATES.—On and after February 1, 2018, each Future Years Homeland Security Program shall project—

''(1) acquisition estimates for the fiscal year for which the budget is submitted and the 4 succeeding fiscal years, with specified estimates for each fiscal year, for all major acquisitions by the Department and each component of the Department; and

''(2) estimated annual deployment schedules for all physical asset major acquisitions over the 5-fiscal-year period described in paragraph (1) and the full operating capability for all information technology major acquisitions.

''(d) SENSITIVE AND CLASSIFIED INFORMATION.—The Secretary may include with each Future Years Homeland Security Program a classified or other appropriately controlled document containing any information required to be submitted under this section that is restricted from public disclosure in accordance with Federal law or any Executive Order.

''(e) AVAILABILITY OF INFORMATION TO THE PUBLIC.—The Secretary shall make available to the public in electronic form the information required to be submitted to the appropriate committees under this section, other than information described in subsection (d).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 874 and inserting the following:

''Sec. 874. Future Years Homeland Security Program.''.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to each fiscal year beginning after the date of enactment of this Act.

SEC. 6308. QUADRENNIAL HOMELAND SECURITY REVIEW.

(a) IN GENERAL.—Section 707 of the Homeland Security Act of 2002 (6 U.S.C. 347) is amended—

(1) in subsection (b)—

(A) in paragraph (5), by striking ''and'' at the end;

(B) in paragraph (6), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(7) review available capabilities and capacities across the homeland security enterprise and identify redundant, wasteful, or unnecessary capabilities and capacities from which resources can be redirected to better support other existing capabilities and capacities.''; and

(2) in subsection (c)—

(A) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—Not later than 60 days after the date on which the budget of the President is submitted to Congress under section 1105 of title 31, United States Code, for the fiscal year after the fiscal year in which a quadrennial homeland security review is conducted under subsection (a)(1), the Secretary shall submit to Congress a report on the quadrennial homeland security review.''; and

(B) in paragraph (2)—

(i) in subparagraph (H), by striking ''and'' at the end;

(ii) by redesignating subparagraph (I) as subparagraph (L); and

(iii) by inserting after subparagraph (H) the following:

''(I) a description of how the conclusions under the quadrennial homeland security review will inform efforts to develop capabilities and build capacity of States, local governments, Indian tribes, territories, and private entities, and of individuals, families, and communities;

''(J) proposed changes to the authorities, organization, governance structure, or business processes (including acquisition processes) of the Department in order to better fulfil responsibilities of the Department;

''(K) if appropriate, a classified or other appropriately controlled document containing any information required to be submitted under this paragraph that is restricted from public disclosure in accordance with Federal law, including information that is not publicly releasable; and''.

SEC. 6309. REPORTING REDUCTION.

(a) OFFICE OF COUNTERNARCOTICS SEIZURE REPORT.—Section 705(a) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1704(a)) is amended by striking paragraph (3).

(b) ANNUAL REPORT ON ACTIVITIES OF THE NATIONAL NUCLEAR DETECTION OFFICE.—Section 1902(a)(13) of the Homeland Security Act of 2002 (6 U.S.C. 592(a)(13)) is amended by striking ''an annual'' and inserting ''a biennial''.

(c) JOINT ANNUAL INTERAGENCY REVIEW OF GLOBAL NUCLEAR DETECTION ARCHITECTURE.—Section 1907 of the Homeland Security Act of 2002 (6 U.S.C. 596a) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking ''ANNUAL'' and inserting ''BIENNIAL'';

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''once each year—'' and inserting ''once every other year—''; and

(ii) in subparagraph (C)—

(I) in clause (i), by striking ''the previous year'' and inserting ''the previous 2 years''; and

(II) in clause (iii), by striking ''the previous year.'' and inserting ''the previous 2 years.''; and

(C) in paragraph (2), by striking ''once each year,'' and inserting ''once every other year,''; and

(2) in subsection (b)—

(A) in the subsection heading, by striking ''ANNUAL'' and inserting ''BIENNIAL'';

(B) in paragraph (1), by striking ''of each year,'' and inserting ''of every other year,''; and

(C) in paragraph (2), by striking ''annual'' and inserting ''biennial''.

SEC. 6310. ADDITIONAL DEFINITIONS.

Section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101) is amended—

(1) by redesignating paragraphs (13) through (18) as paragraphs (17) through (22), respectively;

(2) by redesignating paragraphs (9) through (12) as paragraphs (12) through (15), respectively;

(3) by redesignating paragraphs (4) through (8) as paragraphs (6) through (10), respectively;

(4) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively;

(5) by inserting before paragraph (1) the following:

''(1) The term 'acquisition' has the meaning given the term in section 131 of title 41, United States Code.'';

(6) in paragraph (3), as so redesignated—

(A) by inserting ''(A)'' after ''(3)''; and

(B) by adding at the end the following:

''(B) The term 'congressional homeland security committees' means—

''(i) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(ii) the Committee on Homeland Security of the House of Representatives;

''(iii) the Subcommittee on Homeland Security of the Committee on Appropriations of the Senate; and

''(iv) the Subcommittee on Homeland Security of the Committee on Appropriations of the House of Representatives.'';

(7) by inserting after paragraph (4), as so redesignated, the following:

''(5) The term 'best practices', with respect to acquisition, means a knowledge-based approach to capability development that includes—

''(A) identifying and validating needs;

''(B) assessing alternatives to select the most appropriate solution;

''(C) clearly establishing well-defined requirements;

''(D) developing realistic cost assessments and schedules;

''(E) planning stable funding that matches resources to requirements;

''(F) demonstrating technology, design, and manufacturing maturity;

''(G) using milestones and exit criteria or specific accomplishments that demonstrate progress;

''(H) adopting and executing standardized processes with known success across programs;

''(I) establishing an adequate workforce that is qualified and sufficient to perform necessary functions; and

''(J) integrating capabilities into the mission and business operations of the Department.'';

(8) by inserting after paragraph (10), as so redesignated, the following:

''(11) The term 'homeland security enterprise' means all relevant governmental and nongovernmental entities involved in homeland security, including Federal, State, local, tribal, and territorial government officials, private sector representatives, academics, and other policy experts.''; and

(9) by inserting after paragraph (15), as so redesignated, the following:

''(16) The term 'management integration and transformation'—

''(A) means the development of consistent and consolidated functions for information technology, financial management, acquisition management, logistics and material resource management, asset security, and human capital management; and

''(B) includes governing processes and procedures, management systems, personnel activities, budget and resource planning, training, real estate management, and provision of security, as they relate to functions cited in subparagraph (A).''.

TITLE LXXIV—MISCELLANEOUS

SEC. 6401. ADMINISTRATIVE LEAVE.

(a) SHORT TITLE.—This section may be cited as the ''Administrative Leave Act of 2016''.

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

(1) agency use of administrative leave, and leave that is referred to incorrectly as administrative leave in agency recording practices, has exceeded reasonable amounts—

(A) in contravention of—

(i) established precedent of the Comptroller General of the United States; and

(ii) guidance provided by the Office of Personnel Management; and

(B) resulting in significant cost to the Federal Government;

(2) administrative leave should be used sparingly;

(3) prior to the use of paid leave to address personnel issues, an agency should consider other actions, including—

(A) temporary reassignment;

(B) transfer; and

(C) telework;

(4) an agency should prioritize and expeditiously conclude an investigation in which an employee is placed in administrative leave so that, not later than the conclusion of the leave period—

(A) the employee is returned to duty status; or

(B) an appropriate personnel action is taken with respect to the employee;

(5) data show that there are too many examples of employees placed in administrative leave for 6 months or longer, leaving the employees without any available recourse to—

(A) return to duty status; or

(B) challenge the decision of the agency;

(6) an agency should ensure accurate and consistent recording of the use of administrative leave so that administrative leave can be managed and overseen effectively; and

(7) other forms of excused absence authorized by law should be recorded separately from administrative leave, as defined by the amendments made by this section.

(c) ADMINISTRATIVE LEAVE.—

(1) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end the following:

''§ 6329a. Administrative leave

''(a) DEFINITIONS.—In this section—

''(1) the term 'administrative leave' means leave—

''(A) without loss of or reduction in—

''(i) pay;

''(ii) leave to which an employee is otherwise entitled under law; or

''(iii) credit for time or service; and

''(B) that is not authorized under any other provision of law;

''(2) the term 'agency'—

''(A) means an Executive agency (as defined in section 105 of this title); and

''(B) does not include the Government Accountability Office; and

''(3) the term 'employee'—

''(A) has the meaning given the term in section 2105; and

''(B) does not include an intermittent employee who does not have an established regular tour of duty during the administrative workweek.

''(b) ADMINISTRATIVE LEAVE.—

''(1) IN GENERAL.—An agency may place an employee in administrative leave for a period of not more than 5 consecutive days.

''(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to limit the use of leave that is—

''(A) specifically authorized under law; and

''(B) not administrative leave.

''(3) RECORDS.—An agency shall record administrative leave separately from leave authorized under any other provision of law.

''(c) REGULATIONS.—

''(1) OPM REGULATIONS.—Not later than 1 year after the date of enactment of this section, the Director of the Office of Personnel Management shall—

''(A) prescribe regulations to carry out this section; and

''(B) prescribe regulations that provide guidance to agencies regarding—

''(i) acceptable agency uses of administrative leave; and

''(ii) the proper recording of—

''(I) administrative leave; and

''(II) other leave authorized by law.

''(2) AGENCY ACTION.—Not later than 1 year after the date on which the Director of the Office of Personnel Management prescribes regulations under paragraph (1), each agency shall revise and implement the internal policies of the agency to meet the requirements of this section.

''(d) RELATION TO OTHER LAWS.—Notwithstanding subsection (a) of section 7421 of title 38, this section shall apply to an employee described in subsection (b) of that section.''.

(2) OPM STUDY.—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Personnel Management, in consultation with Federal agencies, groups representing Federal employees, and other relevant stakeholders, shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report identifying agency practices, as of the date of enactment of this Act, of placing an employee in administrative leave for more than 5 consecutive days when the placement was not specifically authorized by law.

(3) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by inserting after the item relating to section 6329 the following:

''6329a. Administrative leave.''.

(d) INVESTIGATIVE LEAVE AND NOTICE LEAVE.—

(1) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, as amended by this section, is further amended by adding at the end the following:

''§ 6329b. Investigative leave and notice leave

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency'—

''(A) means an Executive agency (as defined in section 105 of this title); and

''(B) does not include the Government Accountability Office;

''(2) the term 'Chief Human Capital Officer' means—

''(A) the Chief Human Capital Officer of an agency designated or appointed under section 1401; or

''(B) the equivalent;

''(3) the term 'committees of jurisdiction', with respect to an agency, means each committee in the Senate and House of Representatives with jurisdiction over the agency;

''(4) the term 'Director' means the Director of the Office of Personnel Management;

''(5) the term 'employee'—

''(A) has the meaning given the term in section 2105; and

''(B) does not include—

''(i) an intermittent employee who does not have an established regular tour of duty during the administrative workweek; or

''(ii) the Inspector General of an agency;

''(6) the term 'investigative leave' means leave—

''(A) without loss of or reduction in—

''(i) pay;

''(ii) leave to which an employee is otherwise entitled under law; or

''(iii) credit for time or service;

''(B) that is not authorized under any other provision of law; and

''(C) in which an employee who is the subject of an investigation is placed;

''(7) the term 'notice leave' means leave—

''(A) without loss of or reduction in—

''(i) pay;

''(ii) leave to which an employee is otherwise entitled under law; or

''(iii) credit for time or service;

''(B) that is not authorized under any other provision of law; and

''(C) in which an employee who is in a notice period is placed; and

''(8) the term 'notice period' means a period beginning on the date on which an employee is provided notice required under law of a proposed adverse action against the employee and ending on the date on which an agency may take the adverse action.

''(b) LEAVE FOR EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—

''(1) AUTHORITY.—An agency may, in accordance with paragraph (2), place an employee in—

''(A) investigative leave if the employee is the subject of an investigation;

''(B) notice leave if the employee is in a notice period; or

''(C) notice leave following a placement in investigative leave if, not later than the day after the last day of the period of investigative leave—

''(i) the agency proposes or initiates an adverse action against the employee; and

''(ii) the agency determines that the employee continues to meet 1 or more of the criteria described in subsection (c)(1).

''(2) REQUIREMENTS.—An agency may place an employee in leave under paragraph (1) only if the agency has—

''(A) made a determination with respect to the employee under subsection (c)(1);

''(B) considered the available options for the employee under subsection (c)(2); and

''(C) determined that none of the available options under subsection (c)(2) is appropriate.

''(c) EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—

''(1) DETERMINATIONS.—An agency may not place an employee in investigative leave or notice leave under subsection (b) unless the continued presence of the employee in the workplace during an investigation of the employee or while the employee is in a notice period, if applicable, may—

''(A) pose a threat to the employee or others;

''(B) result in the destruction of evidence relevant to an investigation;

''(C) result in loss of or damage to Government property; or

''(D) otherwise jeopardize legitimate Government interests.

''(2) AVAILABLE OPTIONS FOR EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—After making a determination under paragraph (1) with respect to an employee, and before placing an employee in investigative leave or notice leave under subsection (b), an agency shall consider taking 1 or more of the following actions:

''(A) Assigning the employee to duties in which the employee is no longer a threat to—

''(i) safety;

''(ii) the mission of the agency;

''(iii) Government property; or

''(iv) evidence relevant to an investigation.

''(B) Allowing the employee to take leave for which the employee is eligible.

''(C) Requiring the employee to telework under section 6502(c).

''(D) If the employee is absent from duty without approved leave, carrying the employee in absence without leave status.

''(E) For an employee subject to a notice period, curtailing the notice period if there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed.

''(3) DURATION OF LEAVE.—

''(A) INVESTIGATIVE LEAVE.—Subject to extensions of a period of investigative leave for which an employee may be eligible under subsections (d) and (e), the initial placement of an employee in investigative leave shall be for a period not longer than 10 days.

''(B) NOTICE LEAVE.—Placement of an employee in notice leave shall be for a period not longer than the duration of the notice period.

''(4) EXPLANATION OF LEAVE.—

''(A) IN GENERAL.—If an agency places an employee in leave under subsection (b), the agency shall provide the employee a written explanation of the leave placement and the reasons for the leave placement.

''(B) EXPLANATION.—The written notice under subparagraph (A) shall describe the limitations of the leave placement, including—

''(i) the applicable limitations under paragraph (3); and

''(ii) in the case of a placement in investigative leave, an explanation that, at the conclusion of the period of leave, the agency shall take an action under paragraph (5).

''(5) AGENCY ACTION.—Not later than the day after the last day of a period of investigative leave for an employee under subsection (b)(1), an agency shall—

''(A) return the employee to regular duty status;

''(B) take 1 or more of the actions authorized under paragraph (2), meaning—

''(i) assigning the employee to duties in which the employee is no longer a threat to—

''(I) safety;

''(II) the mission of the agency;

''(III) Government property; or

''(IV) evidence relevant to an investigation;

''(ii) allowing the employee to take leave for which the employee is eligible;

''(iii) requiring the employee to telework under section 6502(c);

''(iv) if the employee is absent from duty without approved leave, carrying the employee in absence without leave status; or

''(v) for an employee subject to a notice period, curtailing the notice period if there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed;

''(C) propose or initiate an adverse action against the employee as provided under law; or

''(D) extend the period of investigative leave under subsections (d) and (e).

''(6) RULE OF CONSTRUCTION.—Nothing in paragraph (5) shall be construed to prevent the continued investigation of an employee, except that the placement of an employee in investigative leave may not be extended for that purpose except as provided in subsections (d) and (e).

''(d) INITIAL EXTENSION OF INVESTIGATIVE LEAVE.—

''(1) IN GENERAL.—Subject to paragraph (4), if the Chief Human Capital Officer of an agency, or the designee of the Chief Human Capital Officer, approves such an extension after consulting with the investigator responsible for conducting the investigation to which an employee is subject, the agency may extend the period of investigative leave for the employee under subsection (b) for not more than 30 days.

''(2) MAXIMUM NUMBER OF EXTENSIONS.—The total period of additional investigative leave for an employee under paragraph (1) may not exceed 110 days.

''(3) DESIGNATION GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Chief Human Capital Officers Council shall issue guidance to ensure that if the Chief Human Capital Officer of an agency delegates the authority to approve an extension under paragraph (1) to a designee, the designee is at a sufficiently high level within the agency to make an impartial and independent determination regarding the extension.

''(4) EXTENSIONS FOR OIG EMPLOYEES.—

''(A) APPROVAL.—In the case of an employee of an Office of Inspector General—

''(i) the Inspector General or the designee of the Inspector General, rather than the Chief Human Capital Officer or the designee of the Chief Human Capital Officer, shall approve an extension of a period of investigative leave for the employee under paragraph (1); or

''(ii) at the request of the Inspector General, the head of the agency within which the Office of Inspector General is located shall designate an official of the agency to approve an extension of a period of investigative leave for the employee under paragraph (1).

''(B) GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Council of the Inspectors General on Integrity and Efficiency shall issue guidance to ensure that if the Inspector General or the head of an agency, at the request of the Inspector General, delegates the authority to approve an extension under subparagraph (A) to a designee, the designee is at a sufficiently high level within the Office of Inspector General or the agency, as applicable, to make an impartial and independent determination regarding the extension.

''(e) FURTHER EXTENSION OF INVESTIGATIVE LEAVE.—

''(1) IN GENERAL.—After reaching the limit under subsection (d)(2), an agency may further extend a period of investigative leave for an employee for a period of not more than 60 days if, before the further extension begins, the head of the agency or, in the case of an employee of an Office of Inspector General, the Inspector General submits a notification that includes the reasons for the further extension to the—

''(A) committees of jurisdiction;

''(B) Committee on Homeland Security and Governmental Affairs of the Senate; and

''(C) Committee on Oversight and Government Reform of the House of Representatives.

''(2) NO LIMIT.—There shall be no limit on the number of further extensions that an agency may grant to an employee under paragraph (1).

''(3) OPM REVIEW.—An agency shall request from the Director, and include with the notification required under paragraph (1), the opinion of the Director—

''(A) with respect to whether to grant a further extension under this subsection, including the reasons for that opinion; and

''(B) which shall not be binding on the agency.

''(4) SUNSET.—The authority provided under this subsection shall expire on the date that is 6 years after the date of enactment of this section.

''(f) CONSULTATION GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Council of the Inspectors General on Integrity and Efficiency, in consultation with the Attorney General and the Special Counsel, shall issue guidance on best practices for consultation between an investigator and an agency on the need to place an employee in investigative leave during an investigation of the employee, including during a criminal investigation, because the continued presence of the employee in the workplace during the investigation may—

''(1) pose a threat to the employee or others;

''(2) result in the destruction of evidence relevant to an investigation;

''(3) result in loss of or damage to Government property; or

''(4) otherwise jeopardize legitimate Government interests.

''(g) REPORTING AND RECORDS.—

''(1) IN GENERAL.—An agency shall keep a record of the placement of an employee in investigative leave or notice leave by the agency, including—

''(A) the basis for the determination made under subsection (c)(1);

''(B) an explanation of why an action under subsection (c)(2) was not appropriate;

''(C) the length of the period of leave;

''(D) the amount of salary paid to the employee during the period of leave;

''(E) the reasons for authorizing the leave, including, if applicable, the recommendation made by an investigator under subsection (d)(1); and

''(F) the action taken by the agency at the end of the period of leave, including, if applicable, the granting of any extension of a period of investigative leave under subsection (d) or (e).

''(2) AVAILABILITY OF RECORDS.—An agency shall make a record kept under paragraph (1) available—

''(A) to any committee of Congress, upon request;

''(B) to the Office of Personnel Management; and

''(C) as otherwise required by law, including for the purposes of the Administrative Leave Act of 2016 and the amendments made by that Act.

''(h) REGULATIONS.—

''(1) OPM ACTION.—Not later than 1 year after the date of enactment of this section, the Director shall prescribe regulations to carry out this section, including guidance to agencies regarding—

''(A) acceptable purposes for the use of—

''(i) investigative leave; and

''(ii) notice leave;

''(B) the proper recording of—

''(i) the leave categories described in subparagraph (A); and

''(ii) other leave authorized by law;

''(C) baseline factors that an agency shall consider when making a determination that the continued presence of an employee in the workplace may—

''(i) pose a threat to the employee or others;

''(ii) result in the destruction of evidence relevant to an investigation;

''(iii) result in loss or damage to Government property; or

''(iv) otherwise jeopardize legitimate Government interests; and

''(D) procedures and criteria for the approval of an extension of a period of investigative leave under subsection (d) or (e).

''(2) AGENCY ACTION.—Not later than 1 year after the date on which the Director prescribes regulations under paragraph (1), each agency shall revise and implement the internal policies of the agency to meet the requirements of this section.

''(i) RELATION TO OTHER LAWS.—Notwithstanding subsection (a) of section 7421 of title 38, this section shall apply to an employee described in subsection (b) of that section.''.

(2) PERSONNEL ACTION.—Section 2302(a)(2)(A) of title 5, United States Code, is amended—

(A) in clause (xi), by striking ''and'' at the end;

(B) by redesignating clause (xii) as clause (xiii); and

(C) by inserting after clause (xi) the following:

''(xii) a determination made by an agency under section 6329b(c)(1) that the continued presence of an employee in the workplace during an investigation of the employee or while the employee is in a notice period, if applicable, may—

''(I) pose a threat to the employee or others;

''(II) result in the destruction of evidence relevant to an investigation;

''(III) result in loss of or damage to Government property; or

''(IV) otherwise jeopardize legitimate Government interests; and''.

(3) GAO REPORT.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives on the results of an evaluation of the implementation of the authority provided under sections 6329a and 6329b of title 5, United States Code, as added by subsection (c)(1) and paragraph (1) of this subsection, respectively, including—

(A) an assessment of agency use of the authority provided under subsection (e) of such section 6329b, including data regarding—

(i) the number and length of extensions granted under that subsection; and

(ii) the number of times that the Director of the Office of Personnel Management, under paragraph (3) of that subsection—

(I) concurred with the decision of an agency to grant an extension; and

(II) did not concur with the decision of an agency to grant an extension, including the bases for those opinions of the Director;

(B) recommendations to Congress, as appropriate, on the need for extensions beyond the extensions authorized under subsection (d) of such section 6329b; and

(C) a review of the practice of agency placement of an employee in investigative or notice leave under subsection (b) of such section 6329b because of a determination under subsection (c)(1)(D) of that section that the employee jeopardized legitimate Government interests, including the extent to which such determinations were supported by evidence.

(4) TELEWORK.—Section 6502 of title 5, United States Code, is amended by adding at the end the following:

''(c) REQUIRED TELEWORK.—If an agency determines under section 6329b(c)(1) that the continued presence of an employee in the workplace during an investigation of the employee or while the employee is in a notice period, if applicable, may pose 1 or more of the threats described in that section and the employee is eligible to telework under subsections (a) and (b) of this section, the agency may require the employee to telework for the duration of the investigation or the notice period, if applicable.''.

(5) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by inserting after the item relating to section 6329a, as added by this section, the following:

''6329b. Investigative leave and notice leave.''.

(e) LEAVE FOR WEATHER AND SAFETY ISSUES.—

(1) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, as amended by this section, is further amended by adding at the end the following:

''§ 6329c. Weather and safety leave

''(a) DEFINITIONS.—In this section—

''(1) the term 'agency'—

''(A) means an Executive agency (as defined in section 105 of this title); and

''(B) does not include the Government Accountability Office; and

''(2) the term 'employee'—

''(A) has the meaning given the term in section 2105; and

''(B) does not include an intermittent employee who does not have an established regular tour of duty during the administrative workweek.

''(b) LEAVE FOR WEATHER AND SAFETY ISSUES.—An agency may approve the provision of leave under this section to an employee or a group of employees without loss of or reduction in the pay of the employee or employees, leave to which the employee or employees are otherwise entitled, or credit to the employee or employees for time or service only if the employee or group of employees is prevented from safely traveling to or performing work at an approved location due to—

''(1) an act of God;

''(2) a terrorist attack; or

''(3) another condition that prevents the employee or group of employees from safely traveling to or performing work at an approved location.

''(c) RECORDS.—An agency shall record leave provided under this section separately from leave authorized under any other provision of law.

''(d) REGULATIONS.—Not later than 1 year after the date of enactment of this section, the Director of the Office of Personnel Management shall prescribe regulations to carry out this section, including—

''(1) guidance to agencies regarding the appropriate purposes for providing leave under this section; and

''(2) the proper recording of leave provided under this section.

''(e) RELATION TO OTHER LAWS.—Notwithstanding subsection (a) of section 7421 of title 38, this section shall apply to an employee described in subsection (b) of that section.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by inserting after the item relating to section 6329b, as added by this section, the following:

''6329c. Weather and safety leave.''.

(f) ADDITIONAL OVERSIGHT.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Director of the Office of Personnel Management shall complete a review of agency policies to determine whether agencies have complied with the requirements of this section and the amendments made by this section.

(2) REPORT TO CONGRESS.—Not later than 90 days after completing the review under paragraph (1), the Director shall submit to Congress a report evaluating the results of the review.

SEC. 6402. UNITED STATES GOVERNMENT REVIEW OF CERTAIN FOREIGN FIGHTERS.

(a) REVIEW.—Not later than 30 days after the date of enactment of this Act, the President shall initiate a review of known instances since 2011 in which a person has traveled or attempted to travel to a conflict zone in Iraq or Syria from the United States to join or provide material support or resources to a terrorist organization.

(b) SCOPE OF REVIEW.—The review under subsection (a) shall—

(1) include relevant unclassified and classified information held by the United States Government related to each instance described in subsection (a);

(2) ascertain which factors, including operational issues, security vulnerabilities, systemic challenges, or other issues, which may have undermined efforts to prevent the travel of persons described in subsection (a) to a conflict zone in Iraq or Syria from the United States, including issues related to the timely identification of suspects, information sharing, intervention, and interdiction; and

(3) identify lessons learned and areas that can be improved to prevent additional travel by persons described in subsection (a) to a conflict zone in Iraq or Syria, or other terrorist safe haven abroad, to join or provide material support or resources to a terrorist organization.

(c) INFORMATION SHARING.—The President shall direct the heads of relevant Federal agencies to provide the appropriate information that may be necessary to complete the review required under this section.

(d) SUBMISSION TO CONGRESS.—Not later than 120 days after the date of enactment of this Act, the President, consistent with the protection of classified information, shall submit a report to the appropriate congressional committees that includes the results of the review required under this section, including information on travel routes of greatest concern, as appropriate.

(e) PROHIBITION ON ADDITIONAL FUNDING.—No additional funds are authorized to be appropriated to carry out this section.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Select Committee on Intelligence of the Senate;

(C) the Committee on the Judiciary of the Senate;

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

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

(F) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(G) the Committee on Appropriations of the Senate;

(H) the Committee on Homeland Security of the House of Representatives;

(I) the Permanent Select Committee on Intelligence of the House of Representatives;

(J) the Committee on the Judiciary of the House of Representatives;

(K) the Committee on Armed Services of the House of Representatives;

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

(M) the Committee on Appropriations of the House of Representatives; and

(N) the Committee on Financial Services of the House of Representatives.

(2) MATERIAL SUPPORT OR RESOURCES.—The term ''material support or resources'' has the meaning given such term in section 2339A of title 18, United States Code.

SEC. 6403. NATIONAL STRATEGY TO COMBAT TERRORIST TRAVEL.

(a) SENSE OF CONGRESS.—It is the sense of Congress that it should be the policy of the United States—

(1) to continue to regularly assess the evolving terrorist threat to the United States;

(2) to catalog existing Federal Government efforts to obstruct terrorist and foreign fighter travel into, out of, and within the United States, and overseas;

(3) to identify such efforts that may benefit from reform or consolidation, or require elimination;

(4) to identify potential security vulnerabilities in United States defenses against terrorist travel; and

(5) to prioritize resources to address any such security vulnerabilities in a risk-based manner.

(b) NATIONAL STRATEGY AND UPDATES.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the President shall submit a national strategy to combat terrorist travel to the appropriate congressional committees. The strategy shall address efforts to intercept terrorists and foreign fighters and constrain the domestic and international travel of such persons. Consistent with the protection of classified information, the strategy shall be submitted in unclassified form, including, as appropriate, a classified annex.

(2) UPDATED STRATEGIES.—Not later than 180 days after the date on which a new President is inaugurated, the President shall submit an updated version of the strategy described in paragraph (1) to the appropriate congressional committees.

(3) CONTENTS.—The strategy required under this subsection shall—

(A) include an accounting and description of all Federal Government programs, projects, and activities designed to constrain domestic and international travel by terrorists and foreign fighters;

(B) identify specific security vulnerabilities within the United States and outside of the United States that may be exploited by terrorists and foreign fighters;

(C) delineate goals for—

(i) closing the security vulnerabilities identified under subparagraph (B); and

(ii) enhancing the ability of the Federal Government to constrain domestic and international travel by terrorists and foreign fighters; and

(D) describe the actions that will be taken to achieve the goals delineated under subparagraph (C) and the means needed to carry out such actions, including—

(i) steps to reform, improve, and streamline existing Federal Government efforts to align with the current threat environment;

(ii) new programs, projects, or activities that are requested, under development, or undergoing implementation;

(iii) new authorities or changes in existing authorities needed from Congress;

(iv) specific budget adjustments being requested to enhance United States security in a risk-based manner; and

(v) the Federal departments and agencies responsible for the specific actions described in this subparagraph.

(4) SUNSET.—The requirement to submit updated national strategies under this subsection shall terminate on the date that is 7 years after the date of enactment of this Act.

(c) DEVELOPMENT OF IMPLEMENTATION PLANS.—For each national strategy required under subsection (b), the President shall direct the heads of relevant Federal agencies to develop implementation plans for each such agency.

(d) IMPLEMENTATION PLANS.—

(1) IN GENERAL.—The President shall submit an implementation plan developed under subsection (c) to the appropriate congressional committees with each national strategy required under subsection (b). Consistent with the protection of classified information, each such implementation plan shall be submitted in unclassified form, but may include a classified annex.

(2) ANNUAL UPDATES.—The President shall submit an annual updated implementation plan to the appropriate congressional committees during the 10-year period beginning on the date of enactment of this Act.

(e) PROHIBITION ON ADDITIONAL FUNDING.—No additional funds are authorized to be appropriated to carry out this section.

(f) DEFINITION.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

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

(3) the Select Committee on Intelligence of the Senate;

(4) the Committee on the Judiciary of the Senate;

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

(6) the Committee on Appropriations of the Senate;

(7) the Committee on Homeland Security of the House of Representatives;

(8) the Committee on Armed Services of the House of Representatives;

(9) the Permanent Select Committee on Intelligence of the House of Representatives;

(10) the Committee on the Judiciary of the House of Representatives;

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

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

SEC. 6404. NORTHERN BORDER THREAT ANALYSIS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Homeland Security of the House of Representatives;

(E) the Committee on Appropriations of the House of Representatives; and

(F) the Committee on the Judiciary of the House of Representatives.

(2) NORTHERN BORDER.—The term ''Northern Border'' means the land and maritime borders between the United States and Canada.

(b) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a Northern Border threat analysis that includes—

(1) current and potential terrorism and criminal threats posed by individuals and organized groups seeking—

(A) to enter the United States through the Northern Border; or

(B) to exploit border vulnerabilities on the Northern Border;

(2) improvements needed at and between ports of entry along the Northern Border—

(A) to prevent terrorists and instruments of terrorism from entering the United States; and

(B) to reduce criminal activity, as measured by the total flow of illegal goods, illicit drugs, and smuggled and trafficked persons moved in either direction across the Northern Border;

(3) gaps in law, policy, cooperation between State, tribal, and local law enforcement, international agreements, or tribal agreements that hinder effective and efficient border security, counter-terrorism, and anti-human smuggling and trafficking efforts, and the flow of legitimate trade along the Northern Border; and

(4) whether additional U.S. Customs and Border Protection preclearance and preinspection operations at ports of entry along the Northern Border could help prevent terrorists and instruments of terror from entering the United States.

(c) ANALYSIS REQUIREMENTS.—For the threat analysis required under subsection (b), the Secretary shall consider and examine—

(1) technology needs and challenges;

(2) personnel needs and challenges;

(3) the role of State, tribal, and local law enforcement in general border security activities;

(4) the need for cooperation among Federal, State, tribal, local, and Canadian law enforcement entities relating to border security;

(5) the terrain, population density, and climate along the Northern Border; and

(6) the needs and challenges of Department facilities, including the physical approaches to such facilities.

(d) CLASSIFIED THREAT ANALYSIS.—To the extent possible, the Secretary shall submit the threat analysis required under subsection (b) in unclassified form. The Secretary may submit a portion of the threat analysis in classified form if the Secretary determines that such form is appropriate for that portion.

SA 4501. 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 I of title X, add the following:

SEC. 1097. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR GRANTS TO VETERANS SERVICE ORGANIZATIONS FOR TRANSPORTATION OF HIGHLY RURAL VETERANS.

Section 307(d) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111–163; 124 Stat. 1154; 38 U.S.C. 1710 note) is amended by striking ''2016'' and inserting ''2017''.

SA 4502. Ms. MURKOWSKI (for herself, Mr. WHITEHOUSE, Mr. SULLIVAN, Ms. KLOBUCHAR, Mr. FRANKEN, Ms. BALDWIN, 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 I of title X, add the following:

SEC. 1097. ELIGIBILITY OF CERTAIN INDIVIDUALS FOR INTERMENT IN NATIONAL CEMETERIES.

(a) IN GENERAL.—Section 2402(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(10) Any individual—

''(A) who—

''(i) was naturalized pursuant to section 2(1) of the Hmong Veterans' Naturalization Act of 2000 (Public Law 106–207; 8 U.S.C. 1423 note); and

''(ii) at the time of the individual's death resided in the United States; or

''(B) who—

''(i) the Secretary determines served with a special guerrilla unit or irregular forces operating from a base in Laos in support of the

Armed Forces of the United States at any time during the period beginning February 28, 1961, and ending May 7, 1975; and

''(ii) at the time of the individual's death—

''(I) was a citizen of the United States or an alien lawfully admitted for permanent residence in the United States; and

''(II) resided in the United States.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to an individual dying on or after the date of the enactment of this Act.

SA 4503. Mr. COTTON 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. PROHIBITION ON REQUIRING UNITED STATES AIR CARRIERS TO COMPLY WITH AIR DEFENSE IDENTIFICATION ZONES DECLARED BY THE PEOPLE'S REPUBLIC OF CHINA.

The Administrator of the Federal Aviation Administration may not require, or provide instruction or guidance to, an air carrier that holds an air carrier certificate issued under chapter 411 of title 49, United States Code, to comply with any air defense identification zone declared by the People's Republic of China that is inconsistent with United States policy, overlaps with preexisting air identification zones, covers disputed territory, or covers a specific geographic area over the East China Sea or South China Sea.

SA 4504. Mr. HOEVEN (for himself and Mr. TESTER) 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 2304 of title 10, United States Code, to procure UH–1N replacement aircraft 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 4505. Mr. DONNELLY (for himself, Mr. INHOFE, Mr. KAINE, Mr. HATCH, and Mr. ROUNDS) 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 VI, add the following:

SEC. 663. REPORT ON MODIFICATION OF BASIC ALLOWANCE FOR SUBSISTENCE IN LIGHT OF AUTHORITY FOR VARIABLE PRICING OF GOODS AT COMMISSARY STORES.

Not later than March 31, 2017, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability of modifying the amounts payable for basic allowance for subsistence (BAS) for members of the Armed Forces in light of potential changes in prices of goods and services at commissary stores pursuant to the authority granted by the amendments made by section 661. The report shall include the following:

(1) An assessment of the potential for increases in prices of goods and services at commissary stores by reason of such authority, set forth by locality.

(2) An assessment of the feasibility and advisability of modifications in the amounts payable for basic allowance for subsistence in light of such potential increases in prices, including paying basic allowance for subsistence at different rates in different locations.

SA 4506. Ms. WARREN (for herself, Mr. WHITEHOUSE, Mr. MARKEY, Ms. BALDWIN, Mr. MURPHY, Mr. LEAHY, Mrs. MURRAY, Mr. MERKLEY, Mr. CASEY, Ms. CANTWELL, Mr. SANDERS, Ms. STABENOW, and Ms. HIRONO) 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 X, insert the following:

Subtitle J—SAVE Benefits Act

SEC. 1097. ONE-TIME SUPPLEMENTARY PAYMENT TO SOCIAL SECURITY BENEFICIARIES AND VETERANS.

(a) ONE-TIME SUPPLEMENTARY PAYMENT TO SOCIAL SECURITY BENEFICIARIES AND VETERANS.—

(1) ELIGIBILITY.—

(A) IN GENERAL.—Subject to paragraph (4)(C), the Secretary of the Treasury shall disburse a payment equal to the amount described in subsection (e) to each individual who, for any month during the 3-month period ending with the month which ends prior to the month that includes the date of the enactment of this Act, is entitled to a benefit payment described in clause (i), (ii), or (iii) of subparagraph (B), or is eligible for a SSI cash benefit described in subparagraph (C).

(B) BENEFIT PAYMENT DESCRIBED.—For purposes of subparagraph (A):

(i) TITLE II BENEFIT.—A benefit payment described in this clause is a monthly insurance benefit payable (without regard to sections 202(j)(1) and 223(b) of the Social Security Act (42 U.S.C. 402(j)(1), 423(b))) under—

(I) section 202(a) of such Act (42 U.S.C. 402(a));

(II) section 202(b) of such Act (42 U.S.C. 402(b));

(III) section 202(c) of such Act (42 U.S.C. 402(c));

(IV) section 202(d)(1)(B)(ii) of such Act (42 U.S.C. 402(d)(1)(B)(ii));

(V) section 202(e) of such Act (42 U.S.C. 402(e));

(VI) section 202(f) of such Act (42 U.S.C. 402(f));

(VII) section 202(g) of such Act (42 U.S.C. 402(g));

(VIII) section 202(h) of such Act (42 U.S.C. 402(h));

(IX) section 223(a) of such Act (42 U.S.C. 423(a));

(X) section 227 of such Act (42 U.S.C. 427); or

(XI) section 228 of such Act (42 U.S.C. 428).

(ii) RAILROAD RETIREMENT BENEFIT.—A benefit payment described in this clause is a monthly annuity or pension payment payable (without regard to section 5(a)(ii) of the Railroad Retirement Act of 1974 (45 U.S.C. 231d(a)(ii))) under—

(I) section 2(a)(1) of such Act (45 U.S.C. 231a(a)(1));

(II) section 2(c) of such Act (45 U.S.C. 231a(c));

(III) section 2(d)(1)(i) of such Act (45 U.S.C. 231a(d)(1)(i));

(IV) section 2(d)(1)(ii) of such Act (45 U.S.C. 231a(d)(1)(ii));

(V) section 2(d)(1)(iii)(C) of such Act to an adult disabled child (45 U.S.C. 231a(d)(1)(iii)(C));

(VI) section 2(d)(1)(iv) of such Act (45 U.S.C. 231a(d)(1)(iv));

(VII) section 2(d)(1)(v) of such Act (45 U.S.C. 231a(d)(1)(v)); or

(VIII) section 7(b)(2) of such Act (45 U.S.C. 231f(b)(2)) with respect to any of the benefit payments described in clause (i) of this subparagraph.

(iii) VETERANS BENEFIT.—A benefit payment described in this clause is a compensation or pension payment payable under—

(I) section 1110, 1117, 1121, 1131, 1141, or 1151 of title 38, United States Code;

(II) section 1310, 1312, 1313, 1315, 1316, or 1318 of title 38, United States Code;

(III) section 1513, 1521, 1533, 1536, 1537, 1541, 1542, or 1562 of title 38, United States Code; or

(IV) section 1805, 1815, or 1821 of title 38, United States Code,

to a veteran, surviving spouse, child, or parent as described in paragraph (2), (3), (4)(A)(ii), or (5) of section 101, title 38, United States Code, who received that benefit during any month within the 3-month period ending with the month which ends prior to the month that includes the date of the enactment of this Act.

(C) SSI CASH BENEFIT DESCRIBED.—A SSI cash benefit described in this subparagraph is a cash benefit payable under section 1611 (other than under subsection (e)(1)(B) of such section) or 1619(a) of the Social Security Act (42 U.S.C. 1382, 1382h).

(2) NO DOUBLE PAYMENTS.—An individual shall be paid only 1 payment under this section, regardless of whether the individual is entitled to, or eligible for, more than 1 benefit payment described in paragraph (1).

(3) LIMITATION.—A payment under this section shall not be made—

(A) in the case of an individual entitled to a benefit specified in paragraph (1)(B)(i) or paragraph (1)(B)(ii)(VIII) if, for the most recent month of such individual's entitlement in the 3-month period described in paragraph (1), such individual's benefit under such paragraph was not payable by reason of subsection (x) or (y) of section 202 the Social Security Act (42 U.S.C. 402) or section 1129A of such Act (42 U.S.C. 1320a–8a);

(B) in the case of an individual entitled to a benefit specified in paragraph (1)(B)(iii) if, for the most recent month of such individual's entitlement in the 3-month period described in paragraph (1), such individual's benefit under such paragraph was not payable, or was reduced, by reason of section 1505, 5313, or 5313B of title 38, United States Code;

(C) in the case of an individual entitled to a benefit specified in paragraph (1)(C) if, for such most recent month, such individual's benefit under such paragraph was not payable by reason of subsection (e)(1)(A) or (e)(4) of section 1611 (42 U.S.C. 1382) or section 1129A of such Act (42 U.S.C. 1320a–8);

(D) in the case of an individual who has been penalized under section 1129(a) of the Social Security Act (42 U.S.C. 1320–8(a)); or

(E) in the case of any individual whose date of death occurs before the date on which the individual is certified under subsection (b) to receive a payment under this section.

(4) TIMING AND MANNER OF PAYMENTS.—

(A) IN GENERAL.—The Secretary of the Treasury shall commence disbursing payments under this section at the earliest practicable date but in no event later than 120 days after the date of enactment of this Act. The Secretary of the Treasury may disburse any payment electronically to an individual in such manner as if such payment was a benefit payment to such individual under the applicable program described in subparagraph (B) or (C) of paragraph (1).

(B) NOTICE.—

(i) IN GENERAL.—The Secretary of the Treasury shall provide written notice, sent by mail to each individual receiving a payment under this section, explaining that the payment represents a one-time benefit increase to the benefit payment described in paragraph (1) to which the individual is entitled.

(ii) PUBLIC NOTICE.—The Secretary of the Treasury, in consultation with the Commissioner of Social Security and the Secretary of Veterans Affairs, shall publish on a public website information about the payments authorized under this subsection, including—

(I) information on eligibility for such payments;

(II) information on the timeframe in which such payments will be distributed; and

(III) other relevant information.

(C) DEADLINE.—No payments shall be disbursed under this section after September 30, 2017, regardless of any determinations of entitlement to, or eligibility for, such payments made after such date.

(b) IDENTIFICATION OF RECIPIENTS.—The Commissioner of Social Security, the Railroad Retirement Board, and the Secretary of Veterans Affairs shall certify the individuals entitled to receive payments under this section and provide the Secretary of the Treasury with the information needed to disburse such payments. A certification of an individual shall be unaffected by any subsequent determination or redetermination of the individual's entitlement to, or eligibility for, a benefit specified in subparagraph (B) or (C) of subsection (a)(1).

(c) TREATMENT OF PAYMENTS.—

(1) PAYMENT TO BE DISREGARDED FOR PURPOSES OF ALL FEDERAL AND FEDERALLY ASSISTED PROGRAMS.—A payment under subsection (a) shall not be regarded as income and shall not be regarded as a resource for the month of receipt and the following 9 months, for purposes of determining the eligibility of the recipient (or the recipient's spouse or family) for benefits or assistance, or the amount or extent of benefits or assistance, under any Federal program or under any State or local program financed in whole or in part with Federal funds.

(2) PAYMENT NOT CONSIDERED INCOME FOR PURPOSES OF TAXATION.—A payment under subsection (a) shall not be considered as gross income for purposes of the Internal Revenue Code of 1986.

(3) PAYMENTS PROTECTED FROM ASSIGNMENT.—The provisions of section 207 of the Social Security Act (42 U.S.C. 407) and section 14(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 231m(a)) shall apply to any payment made under subsection (a) as if such payment was a benefit payment to such individual under the applicable program described in subsection (a)(1)(B).

(4) TREATMENT UNDER SOCIAL SECURITY ACT.—

(A) NO EFFECT ON FAMILY MAXIMUM.—For purposes of section 203(a) of the Social Security Act (42 U.S.C. 403(a)), a payment under subsection (a) shall be disregarded in determining reductions in benefits under such section.

(B) PAYMENT NOT A GENERAL BENEFIT INCREASE.—For purposes of section 215(i) of the Social Security Act (42 U.S.C. 415(i)), a payment under subsection (a) shall not be regarded as a general benefit increase.

(5) PAYMENTS SUBJECT TO RECLAMATION.—Any payment made under this section shall, in the case of a payment by direct deposit which is made after the date of the enactment of this Act, be subject to the reclamation provisions under subpart B of part 210 of title 31, Code of Federal Regulations (relating to reclamation of benefit payments).

(d) PAYMENT TO REPRESENTATIVE PAYEES AND FIDUCIARIES.—

(1) IN GENERAL.—In any case in which an individual who is entitled to a payment under subsection (a) and whose benefit payment or cash benefit described in paragraph (1) of that subsection is paid to a representative payee or fiduciary, the payment under subsection (a) shall be made to the individual's representative payee or fiduciary and the entire payment shall be used only for the benefit of the individual who is entitled to the payment.

(2) APPLICABILITY.—

(A) PAYMENT ON THE BASIS OF A TITLE II BENEFIT OR SSI BENEFIT.—Section 1129(a)(3) of the Social Security Act (42 U.S.C. 1320a–8(a)(3)) shall apply to any payment made on the basis of an entitlement to a benefit specified in paragraph (1)(B)(i) or (1)(C) of subsection (a) in the same manner as such section applies to a payment under title II or XVI of such Act.

(B) PAYMENT ON THE BASIS OF A RAILROAD RETIREMENT BENEFIT.—Section 13 of the Railroad Retirement Act (45 U.S.C. 231l) shall apply to any payment made on the basis of an entitlement to a benefit specified in paragraph (1)(B)(ii) of subsection (a) in the same manner as such section applies to a payment under such Act.

(C) PAYMENT ON THE BASIS OF A VETERANS BENEFIT.—Sections 5502, 6106, and 6108 of title 38, United States Code, shall apply to any payment made on the basis of an entitlement to a benefit specified in paragraph (1)(B)(iii) of subsection (a) in the same manner as those sections apply to a payment under that title.

(e) PAYMENT AMOUNT.—The amount described in this subsection is the amount that is equal to 3.9 percent of the average amount of annual benefits received by an individual entitled to benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.) in calendar year 2015, as determined by the Commissioner of Social Security, rounded to the next lowest multiple of $1.

(f) APPROPRIATION.—Out of any sums in the Treasury of the United States not otherwise appropriated, the following sums are appropriated for the period of fiscal years 2016 through 2017, to remain available until expended, to carry out this section:

(1) For the Secretary of the Treasury, such sums as may be necessary for administrative costs incurred in carrying out this section.

(2) For the Commissioner of Social Security—

(A) such sums as may be necessary for payments to individuals certified by the Commissioner of Social Security as entitled to receive a payment under this section; and

(B) such sums as may be necessary to the Social Security Administration's Limitation on Administrative Expenses for costs incurred in carrying out this section.

(3) For the Railroad Retirement Board—

(A) such sums as may be necessary for payments to individuals certified by the Railroad Retirement Board as entitled to receive a payment under this section; and

(B) such sums as may be necessary to the Railroad Retirement Board's Limitation on Administration for administrative costs incurred in carrying out this section.

(4)(A) For the Secretary of Veterans Affairs—

(i) such sums as may be necessary for the Compensation and Pensions account, for payments to individuals certified by the Secretary of Veterans Affairs as entitled to receive a payment under this section; and

(ii) such sums as may be necessary for the Information Systems Technology account and the General Operating Expenses account for administrative costs incurred in carrying out this section.

(B) The Department of Veterans Affairs Compensation and Pensions account shall hereinafter be available for payments authorized under subsection (a)(1)(A) to individuals entitled to a benefit payment described in subsection (a)(1)(B)(iii).

SEC. 1098. SPECIAL CREDIT FOR CERTAIN GOVERNMENT RETIREES.

(a) IN GENERAL.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by subtitle A of the Internal Revenue Code of 1986 for the first taxable year beginning in 2016 an amount equal to $581 ($1,162 in the case of a joint return where both spouses are eligible individuals).

(b) ELIGIBLE INDIVIDUAL.—

(1) IN GENERAL.—For purposes of this section, the term ''eligible individual'' means any individual—

(A) who receives during the first taxable year beginning in 2016 any amount as a pension or annuity for service performed in the employ of the United States or any State, or any instrumentality thereof, which is not considered employment for purposes of sections 3101(a) and 3111(a) of the Internal Revenue Code of 1986, and

(B) who does not receive a payment under section 1097 during such taxable year.

(2) IDENTIFICATION NUMBER REQUIREMENT.—

(A) IN GENERAL.—The term ''eligible individual'' shall not include any individual who does not include on the return of tax for the taxable year—

(i) such individual's social security account number, and

(ii) in the case of a joint return, the social security account number of one of the taxpayers on such return.

(B) EXCLUSION OF TIN.—For purposes of subparagraph (A), the social security account number shall not include a TIN (as defined in section 7701(a)(41) of the Internal Revenue Code of 1986) issued by the Internal Revenue Service. Any omission of a correct social security account number required under this paragraph shall be treated as a mathematical or clerical error for purposes of applying section 6213(g)(2) of such Code to such omission.

(c) TREATMENT OF CREDIT.—

(1) REFUNDABLE CREDIT.—

(A) IN GENERAL.—The credit allowed by subsection (a) shall be treated as allowed by subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986.

(B) APPROPRIATIONS.—For purposes of section 1324(b)(2) of title 31, United States Code, the credit allowed by subsection (a) shall be treated in the same manner as a refund from the credit allowed under section 36A of the Internal Revenue Code of 1986.

(2) DEFICIENCY RULES.—For purposes of applying section 6211(b)(4)(A) of the Internal Revenue Code of 1986, the credit allowable by subsection (a) shall be treated in the same manner as the credits listed in subparagraph (A) of section 6211(b)(4).

(d) REFUNDS DISREGARDED IN THE ADMINISTRATION OF FEDERAL PROGRAMS AND FEDERALLY ASSISTED PROGRAMS.—Any credit or refund allowed or made to any individual by reason of this section shall not be taken into account as income and shall not be taken into account as resources for the month of receipt and the following 2 months, for purposes of determining the eligibility of such individual or any other individual for benefits or assistance, or the amount or extent of benefits or assistance, under any Federal program or under any State or local program financed in whole or in part with Federal funds.

SEC. 1099. MODIFICATION OF LIMITATION ON EXCESSIVE REMUNERATION.

(a) REPEAL OF PERFORMANCE-BASED COMPENSATION AND COMMISSION EXCEPTIONS FOR LIMITATION ON EXCESSIVE REMUNERATION.—

(1) IN GENERAL.—Paragraph (4) of section 162(m) of the Internal Revenue Code of 1986 is amended by striking subparagraphs (B) and (C) and by redesignating subparagraphs (D) through (G) as subparagraphs (B) through (E), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 162(m)(5) of such Code is amended—

(i) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (E) and inserting ''subparagraph (B) thereof'', and

(ii) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(B) Section 162(m)(6) of such Code is amended—

(i) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (D) and inserting ''subparagraph (B) thereof'', and

(ii) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(b) EXPANSION OF APPLICABLE EMPLOYER.—Paragraph (2) of section 162(m) of the Internal Revenue Code of 1986 is amended to read as follows:

''(2) PUBLICLY HELD CORPORATION.—For purposes of this subsection, the term 'publicly held corporation' means any corporation which is an issuer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c))—

''(A) the securities of which are registered under section 12 of such Act (15 U.S.C. 78l), or

''(B) that is required to file reports under section 15(d) of such Act (15 U.S.C. 78o(d)).''.

(c) APPLICATION TO ALL CURRENT AND FORMER OFFICERS, DIRECTORS, AND EMPLOYEES.—

(1) IN GENERAL.—Section 162(m) of the Internal Revenue Code of 1986, as amended by subsection (a), is amended—

(A) by striking ''covered employee'' each place it appears in paragraphs (1) and (4) and inserting ''covered individual'', and

(B) by striking ''such employee'' each place it appears in subparagraphs (A) and (E) of paragraph (4) and inserting ''such individual''.

(2) COVERED INDIVIDUAL.—Paragraph (3) of section 162(m) of such Code is amended to read as follows:

''(3) COVERED INDIVIDUAL.—For purposes of this subsection, the term 'covered individual' means any individual who is an officer, director, or employee of the taxpayer or a former officer, director, or employee of the taxpayer.''.

(3) CONFORMING AMENDMENTS.—

(A) Section 48D(b)(3)(A) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2017)'' after ''section 162(m)(3)''.

(B) Section 409A(b)(3)(D)(ii) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2017)'' after ''section 162(m)(3)''.

(d) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Paragraph (4) of section 162(m), as amended by subsection (a), is amended by adding at the end the following new subparagraph:

''(F) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Remuneration shall not fail to be applicable employee remuneration merely because it is includible in the income of, or paid to, a person other than the covered individual, including after the death of the covered individual.''.

(e) REGULATORY AUTHORITY.—

(1) IN GENERAL.—Section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) REGULATIONS.—The Secretary may prescribe such guidance, rules, or regulations, including with respect to reporting, as are necessary to carry out the purposes of this subsection.''.

(2) CONFORMING AMENDMENT.—Paragraph (6) of section 162(m) of such Code is amended by striking subparagraph (H).

(f) TRANSFER TO SOCIAL SECURITY TRUST FUNDS.—For purposes of the amount of any increase in revenue to the Treasury by reason of the amendments made by this section, any such amount that is in excess of the total amount appropriated under section 1097(f) of this Act shall be, at such times and in such manner as determined appropriate by the Secretary of the Treasury (or the Secretary's delegate), deposited in the Trust Funds (as defined in subsection (c) of section 201 of the Social Security Act (42 U.S.C. 401)), with—

(1) 50 percent of such amount to be deposited in the Federal Old-Age and Survivors Insurance Trust Fund (as defined in subsection (a) of such section); and

(2) 50 percent of such amount to be deposited in the Federal Disability Insurance Trust Fund (as defined in subsection (b) of such section).

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2016.

SA 4507. Mr. HATCH 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. REPORT ON HEARING LOSS, TINNITUS, AND NOISE POLLUTION DUE TO SMALL ARMS FIRE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that hearing loss, tinnitus, and noise pollution due to small arms fire has a detrimental impact on the readiness and budget of the Department of Defense.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives (and the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives upon the request of either committee) and the President pro tempore of the Senate, a report on hearing loss, tinnitus, and noise pollution due to small arms fire.

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

(A) A verification and validation of the results included in published findings on hearing loss and tinnitus due to small arms fire (including the ''Clinical Study Design of Noise-Induced Hearing Loss in Marine Recruits'' published by E.A. Williams (née Edelstein)).

(B) A description of the impact on the Department of Defense of noise pollution and noise ordinance requirements, as set forth under title IV of the Clean Air Act (relating to noise pollution) (42 U.S.C. 7641 et seq.), for small arms fire (including the impact on training ranges, training schedules, operational readiness, and mission parameters).

(C) Data on the severity and rates of noise-induced hearing loss and tinnitus experienced by personnel of the Department due to small arms fire in training and operational environments, including costs currently incurred by the health care systems of the Department of Defense and the Department of Veterans Affairs to treat noise-induced hearing loss and tinnitus.

(D) A description of alternative methods and strategies currently being employed by the Department of Defense, as well as alternative methods, technologies, and techniques being considered, for the mitigation of hearing loss, tinnitus, and noise pollution due to small arms fire.

(E) A description of current mitigation strategies available to reduce hearing loss, tinnitus, and noise pollution as a whole and not as separate issues.

SA 4508. Mr. BROWN (for himself and Ms. WARREN) 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. MAXIMUM RATE OF INTEREST ON DEBTS INCURRED BEFORE MILITARY SERVICE.

Section 207 of the Servicemembers Civil Relief Act (50 U.S.C. 3937) is amended—

(1) in subsection (a)(1)(A), by inserting ''student loan,'' after ''nature of a mortgage''; and

(2) in subsection (d), by adding at the end the following:

''(3) STUDENT LOAN.—The term 'student loan' means—

''(A) a Federal student loan made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

''(B) a student loan made pursuant to title VII or VIII of the Public Health Service Act (42 U.S.C. 292 et seq. and 296 et seq.); or

''(C) a private education loan, as defined in section 140(a) of the Truth in Lending Act (15 U.S.C. 1650(a)).''.

SA 4509. Mr. NELSON (for himself, Mr. GARDNER, Mr. BENNET, Mr. SHELBY, and Mr. DURBIN) 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 sections 1036 and 1037 and insert the following:

SEC. 1036. COMPETITIVE PROCUREMENT AND PHASE OUT OF ROCKET ENGINES FROM THE RUSSIAN FEDERATION IN THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM FOR SPACE LAUNCH OF NATIONAL SECURITY SATELLITES.

(a) IN GENERAL.—Any competition for a contract for the provision of launch services for the evolved expendable launch vehicle program shall be open for award to all certified providers of evolved expendable launch vehicle-class systems.

(b) AWARD OF CONTRACTS.—In awarding a contract under subsection (a), the Secretary of Defense—

(1) subject to paragraph (2), shall award the contract to the provider of launch services that offers the best value to the Federal Government; and

(2) notwithstanding any other provision of law, may, during the period beginning on the date of the enactment of this Act and ending on December 31, 2022, award the contract to a provider of launch services that intends to use any certified launch vehicle in its inventory without regard to the country of origin of the rocket engine that will be used on that launch vehicle, in order to ensure robust competition and continued assured access to space.

SA 4510. Mr. WYDEN 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 VIII, add the following:

SEC. 399C. MANAGEMENT OF CERTAIN LITIGATION ON BEHALF OF INDEMNIFIED PRIVATE CONTRACTORS.

(a) IN GENERAL.—In cases where litigation between an indemnified Department of Defense contractor and a member of the Armed Forces exceeds a period of two years without final judgement or settlement, and where the Department has a contractual right to take charge of the litigation on behalf of the contractor, the Department shall exercise that right. In doing so, the Department shall ensure the fiscal burden on taxpayers is minimized by avoiding lengthy and expensive litigation, while simultaneously resolving the claim in a way that meets the Department's obligations to members of the Armed Forces and their families in a fair and timely manner.

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

SA 4511. Mr. GRASSLEY (for himself and Mr. WHITEHOUSE) 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. ENHANCED PENALTIES AND OTHER TOOLS RELATED TO MARITIME OFFENSES AND ACTS OF NUCLEAR TERRORISM.

(a) PENALTIES FOR MARITIME OFFENSES.—

(1) PENALTIES FOR VIOLENCE AGAINST MARITIME NAVIGATION.—Section 2280a(a)(1) of title 18, United States Code, is amended, in the undesignated matter following subparagraph (E), by inserting ''punished by death or'' before ''imprisoned for any term''.

(2) PENALTIES FOR OFFENSES AGAINST MARITIME FIXED PLATFORMS.—Section 2281a(a)(1) of such title is amended, in the undesignated matter following subparagraph (C), by inserting ''punished by death or'' before ''imprisoned for any term''.

(b) PENALTIES FOR ACTS OF NUCLEAR TERRORISM.—Section 2332i(c) of title 18, United States Code, is amended to read as follows:

''(c) PENALTIES.—Any person who violates this section shall be punished as provided under section 2332a(a).''.

(c) PROVIDING MATERIAL SUPPORT TO TERRORISTS PREDICATES.—

(1) MARITIME OFFENSES.—Section 2339A(a) of title 18, United States Code, is amended—

(A) by inserting ''2280a,'' after ''2280,''; and

(B) by inserting ''2281a,'' after ''2281,''.

(2) ACTS OF NUCLEAR TERRORISM.—Section 2339A(a) of such title, as amended by subsection (a), is further amended by inserting ''2332i,'' after ''2332f,''.

(d) WIRETAP AUTHORIZATION PREDICATES.—

(1) MARITIME OFFENSES.—Section 2516(1) of title 18, United States Code, is amended—

(A) in paragraph (p), by striking ''or'' at the end; and

(B) in paragraph (q), by inserting '', section 2280, 2280a, 2281, or 2281a (relating to maritime safety),'' after ''weapons)''.

(2) ACTS OF NUCLEAR TERRORISM.—Section 2516(1)(q) of such title, as amended by subsection (a)(2), is further amended by inserting '', 2332i,'' after ''2332h''.

SA 4512. Mr. KIRK 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. IMPROVING MEDICAL REHABILITATION RESEARCH AT THE NATIONAL INSTITUTES OF HEALTH.

(a) IN GENERAL.—Section 452 of the Public Health Service Act (42 U.S.C. 285g–4) is amended—

(1) in subsection (b), by striking ''conduct and support'' and inserting ''conduct, support, and coordination'';

(2) in subsection (c)(1)(C), by striking ''of the Center'' and inserting ''within the Center'';

(3) in subsection (d)—

(A) by striking paragraph (1) and inserting the following: ''(1) The Director of the Center, in consultation with the Director of the Institute, the coordinating committee established under subsection (e), and the advisory board established under subsection (f), shall develop a comprehensive plan (referred to in this section as the 'Research Plan') for the conduct, support, and coordination of medical rehabilitation research.'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(ii) in subparagraph (B), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(C) include goals and objectives for conducting, supporting, and coordinating medical rehabilitation research, consistent with the purpose described in subsection (b).'';

(C) by striking paragraph (4) and inserting the following:

''(4) The Director of the Center, in consultation with the Director of the Institute, the coordinating committee established under subsection (e), and the advisory board established under subsection (f), shall revise and update the Research Plan periodically, as appropriate, or not less than every 5 years. Not later than 30 days after the Research Plan is so revised and updated, the Director of the Center shall transmit the revised and updated Research Plan to the President, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives.''; and

(D) by adding at the end the following:

''(5) The Director of the Center, in consultation with the Director of the Institute, shall, prior to revising and updating the Research Plan, prepare a report for the coordinating committee established under subsection (e) and the advisory board established under subsection (f) that describes and

analyzes the progress during the preceding fiscal year in achieving the goals and objectives described in paragraph (2)(C) and includes expenditures for rehabilitation research at the National Institutes of Health. The report shall include recommendations for revising and updating the Research Plan, and such initiatives as the Director of the Center and the Director of the Institute determine appropriate. In preparing the report, the Director of the Center and the Director of the Institute shall consult with the Director of NIH.'';

(4) in subsection (e)—

(A) in paragraph (2), by inserting ''periodically host a scientific conference or workshop on medical rehabilitation research and'' after ''The Coordinating Committee shall''; and

(B) in paragraph (3), by inserting ''the Director of the Division of Program Coordination, Planning, and Strategic Initiatives within the Office of the Director of NIH,'' after ''shall be composed of'';

(5) in subsection (f)(3)(B)—

(A) by redesignating clauses (ix) through (xi) as clauses (x) through (xii), respectively; and

(B) by inserting after clause (viii) the following:

''(ix) The Director of the Division of Program Coordination, Planning, and Strategic Initiatives.''; and

(6) by adding at the end the following:

''(g)(1) The Secretary and the heads of other Federal agencies shall jointly review the programs carried out (or proposed to be carried out) by each such official with respect to medical rehabilitation research and, as appropriate, enter into agreements preventing duplication among such programs.

''(2) The Secretary shall, as appropriate, enter into interagency agreements relating to the coordination of medical rehabilitation research conducted by agencies of the National Institutes of Health and other agencies of the Federal Government.

''(h) For purposes of this section, the term 'medical rehabilitation research' means the science of mechanisms and interventions that prevent, improve, restore, or replace lost, underdeveloped, or deteriorating function.''.

(b) REQUIREMENTS OF CERTAIN AGREEMENTS FOR ENHANCING COORDINATION AND PREVENTING DUPLICATIVE PROGRAMS OF MEDICAL REHABILITATION RESEARCH.—Section 3 of the National Institutes of Health Amendments of 1990 (42 U.S.C. 285g–4 note) is amended—

(1) in subsection (a), by striking ''(a) IN GENERAL.—''; and

(2) by striking subsection (b).

SA 4513. Mr. VITTER 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 V, add the following:

SEC. 538. MODIFICATION OF DISCRETIONARY AUTHORITY TO AUTHORIZE CERTAIN ENLISTMENTS IN THE ARMED FORCES.

Section 504(b)(2) of title 10, United States Code, is amended by striking ''if the Secretary'' and all that follows and inserting ''if—

''(A) the person is lawfully present in the United States at the time of enlistment; and

''(B) the Secretary determines that such enlistment is vital to the national interest.''.

SA 4514. Mr. VITTER 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. ASSESSMENT OF INADEQUACIES IN INTERNATIONAL MONITORING AND VERIFICATION WITH RESPECT TO IRAN'S NUCLEAR PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, the Director of National Intelligence, and the heads and other relevant officials of agencies with responsibilities under section 1078 or 1226, submit to Congress a joint assessment report detailing existing inadequacies in the international monitoring and verification system, including the extent to which such inadequacies relate to the findings and recommendations pertaining to verification shortcomings identified within—

(1) the September 26, 2006, Government Accountability Office report entitled, ''Nuclear Nonproliferation: IAEA Has Strengthened Its Safeguards and Nuclear Security Programs, but Weaknesses Need to Be Addressed'';

(2) the May 16, 2013, Government Accountability Office report entitled, ''IAEA Has Made Progress in Implementing Critical Programs but Continues to Face Challenges'';

(3) the Defense Science Board Study entitled, ''Task Force on the Assessment of Nuclear Treaty Monitoring and Verification Technologies'';

(4) the report of the International Atomic Energy Agency (in this section referred to as the ''IAEA'') entitled, ''The Safeguards System of the International Atomic Energy Agency'' and the IAEA Safeguards Statement for 2010;

(5) the IAEA Safeguards Overview: Comprehensive Safeguards Agreements and Additional Protocols;

(6) the IAEA Model Additional Protocol;

(7) the IAEA February 2015 Director General Report to the Board of Governors; and

(8) other related reports on Iranian safeguard challenges.

(b) RECOMMENDATIONS.—The joint assessment report required by subsection (a) shall include recommendations based upon the reports referenced in that subsection, including recommendations to overcome inadequacies or develop an improved monitoring framework and recommendations related to the following matters:

(1) The nuclear program of Iran.

(2) Development of a plan for—

(A) the long-term operation and funding of increased activities of the IAEA and relevant agencies in order to maintain the necessary level of oversight with respect to Iran's nuclear program;

(B) resolving all issues of past and present concern with the IAEA, including possible military dimensions of Iran's nuclear program; and

(C) giving IAEA inspectors access to personnel, documents, and facilities involved, at any point, with nuclear or nuclear weapons-related activities of Iran.

(3) A potential national strategy and implementation plan supported by a planning and assessment team aimed at cutting across agency boundaries or limitations that affect the ability to draw conclusions, with absolute assurance, about whether Iran is developing a clandestine nuclear weapons program.

(4) The limitations of IAEA actors.

(5) Challenges in the region that may be too large to anticipate under applicable treaties or agreements or the national technical means monitoring regimes alone.

(6) Continuation of sanctions with respect to the Government of Iran and Iranian persons and Iran's proxies for—

(A) ongoing abuses of human rights;

(B) actions in support of the regime of Bashar al-Assad in Syria;

(C) procurement, sale, or transfer of technology, services, or goods that support the development or acquisition of weapons of mass destruction or the means of delivery of those weapons; and

(D) continuing sponsorship of international terrorism.

(c) FORM OF REPORT.—The joint assessment report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) PRESIDENTIAL CERTIFICATION.—Not later than 60 days after the joint assessment report is submitted under subsection (a), the President shall certify to Congress that the President has reviewed the report, including the recommendations contained therein, and has taken available actions to address existing gaps within the monitoring and verification framework, including identified potential funding needs to address necessary requirements.

SA 4515. Mr. VITTER 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. TERMINATION OF LAWFUL PERMANENT RESIDENT STATUS OF CERTAIN ALIENS WHO RETURN TO AFGHANISTAN WITHOUT ADVANCE PERMISSION.

Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) by redesignating paragraphs (10) through (16) as paragraphs (11) through (17), respectively;

(2) by inserting after paragraph (9), the following:

''(10) TERMINATION OF LAWFUL PERMANENT RESIDENCE UPON UNAUTHORIZED RETURN TO AFGHANISTAN.—

''(A) IN GENERAL.—The Secretary of Homeland Security shall terminate the lawful permanent resident status of any alien granted such status under paragraph (9) who is outside the United States if the Secretary determines that the alien has visited Afghanistan without obtaining advance permission to travel pursuant to subparagraph (D)(ii).

''(B) SERVICE.—The termination of lawful permanent residence status under subparagraph (A) shall be effective on the date that is 3 days after the date on which the Secretary serves notice of such termination—

''(i) by publishing such notice in the Federal Register;

''(ii) by mailing such notice to the alien's most recent United States address, as provided to the Secretary under section 265 of

the Immigration and Nationality Act (8 U.S.C. 1305) or otherwise under the immigration laws; or

''(iii) through personal service on the alien abroad in accordance with applicable law.

''(C) CHALLENGE TO NOTICE OF TERMINATION.—

''(i) IN GENERAL.—An alien whose status is terminated pursuant to subparagraph (A) may challenge such termination by seeking admission as an immigrant at a designated United States port of entry not later than 180 days after the effective date of such termination.

''(ii) REMOVAL PROCEEDING.—If an alien challenges a termination in accordance with clause (i), the Secretary shall place the alien in a removal proceeding under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a). For the purpose of such removal proceeding, the alien shall be considered to be an alien lawfully admitted for permanent residence who is seeking an admission into the United States. If the alien prevails in the removal proceeding, or on a petition for review of such proceeding under section 242 of such Act (8 U.S.C. 1252), the alien shall be admitted to the United States for lawful permanent residence. If the alien does not prevail in the removal proceeding, or on a petition for review of such proceeding, the alien shall be removed from the United States.

''(D) TRAVEL.—The Secretary of Homeland Security—

''(i) upon receiving a request from an alien challenging a notice of termination under subparagraph (C), shall authorize travel of the alien to a designated United States port of entry for the purpose of the removal proceeding described in subparagraph (C)(ii); and

''(ii) shall establish a process through which an alien granted lawful permanent residence under this section may apply in advance for permission to travel to Afghanistan.

''(E) JUDICIAL REVIEW.—Except as specifically provided under subparagraph (C), and notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review any determination made by the Secretary under this paragraph.

''(F) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed—

''(i) to authorize any alien whose status has not been terminated under this paragraph to travel to or to be admitted to the United States;

''(ii) to require the Secretary to terminate the status of an alien under this subsection so that the alien may travel to the United States for the purpose of a removal proceeding or for any other reason; or

''(iii) to limit the applicability of any no-fly list or other travel security or public health measure otherwise authorized by law.''; and

(3) in paragraph (14), as redesignated, by striking ''paragraph (12)(B)'' and inserting ''paragraph (13)(B)''.

SA 4516. Mr. BURR (for himself and Mrs. FEINSTEIN) 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 945.

SA 4517. Mr. BURR (for himself and Mrs. FEINSTEIN) 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 973.

SA 4518. Mr. BURR (for himself and Mrs. FEINSTEIN) 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 1049.

SA 4519. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) 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 1052.

SA 4520. Mr. BURR (for himself and Mrs. FEINSTEIN) 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 1194, line 24, strike ''committees'' and insert ''committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives''.

SA 4521. Mr. BURR (for himself and Mrs. FEINSTEIN) 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 1606.

SA 4522. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) 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 1633 and insert the following:

SEC. 1633. PROCESS FOR ENDING OF ARRANGEMENT IN WHICH THE COMMANDER OF THE UNITED STATES CYBER COMMAND IS ALSO DIRECTOR OF THE NATIONAL SECURITY AGENCY.

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

(1) the ending of the arrangement (commonly referred to as a ''dual-hat arrangement'') under which the Commander of the United States Cyber Command also serves as the Director of the National Security Agency needs to be carefully considered and done through conditions-based criteria; and

(2) until such arrangement is ended, it is important to ensure such arrangement does not impede the Director's service of national requirements.

(b) PROCESSES FOR ENDING OF CURRENT ARRANGEMENT.—The Secretary of Defense may not take action to end the arrangement described in subsection (a) until—

(1) the Secretary and the Chairman of the Joint Chiefs of Staff jointly determine and certify to the appropriate committees of Congress that the end of that arrangement will not pose risks to the military effectiveness of the United States Cyber Command that are unacceptable in the national security interests of the United States; or

(2) the Director of National Intelligence determines and certifies to the appropriate committees of Congress that the continuation of that arrangement poses risks and impedes the appropriate prioritization of national requirements.

(c) CONDITIONS-BASED CRITERIA.—The Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence shall develop criteria for assessing the military and intelligence necessity and benefit of the arrangement described in subsection (a). The criteria shall be based on measures of the operational dependence of the United States Cyber Command on the National Security Agency and the ability of each organization to accomplish their roles and responsibilities independent of the other. The conditions to be evaluated shall include the following:

(1) The sufficiency of operational infrastructure.

(2) The sufficiency of command and control systems and processes for planning, deconflicting, and executing military cyber operations, tools and weapons for achieving required effects.

(3) Technical intelligence collection and operational preparation of the environment capabilities.

(4) The ability to train personnel, test capabilities, and rehearse missions.

(5) The ability to meet national intelligence requirements.

(6) The ability to correctly and impartially conduct intelligence gain and loss assessments in scenarios with competing requirements.

(d) REPORTS.—Not later than 90 days of the date of the enactment of this Act and annually thereafter until a certification is made in accordance with subsection (b)—

(1) the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall submit

to the appropriate committees of Congress a report that describes which of the conditions set out under subsection (c) have not been met; and

(2) the Director of National Intelligence shall submit to the appropriate committees of Congress an assessment of the Director's continuing ability to meet national requirements and appropriately conduct intelligence gain and loss assessments in scenarios with competing requirements.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

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

SA 4523. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) 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 1207, line 13, strike ''**LIMITATION ON**'' and insert ''**PROCESS FOR**''.

On page 1207, line 18, insert ''ending of the'' after ''that the''.

On page 1207, beginning on line 21, strike ''is in the national security interests of the United States.'' and insert ''needs to be carefully considered and done through conditions-based criteria and, until such arrangement is ended, it is important to ensure such arrangement does not impede the Director's service of national intelligence requirements.''.

On page 1207, line 23, strike ''LIMITATION ON'' and insert ''PROCESS FOR''.

On page 1207, line 25, strike ''until'' and insert ''until—''.

Beginning on page 1207, line 25, strike ''the Secretary'' and all that follows through page 1208, line 6, and insert the following:

(1) the Secretary and the Chairman of the Joint Chiefs of Staff jointly determine and certify to the appropriate committees of Congress that the end of that arrangement will not pose risks to the military effectiveness of the United States Cyber Command that are unacceptable in the national security interests of the United States; or

(2) the Director of National Intelligence determines and certifies to the appropriate committees of Congress that the continuation of that arrangement poses risks and impedes the appropriate prioritization of national intelligence requirements.

On page 1208, beginning on line 7, strike ''Secretary and the Chairman'' and insert ''Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence''.

On page 1209, strike lines 3 through 12, and insert the following:

(5) The ability to meet national intelligence requirements.

(6) The ability to correctly and impartially conduct intelligence gain and loss assessments in scenarios with competing requirements.

(d) REPORTS.—Not later than 90 days of the date of the enactment of this Act and annually thereafter until a certification is made in accordance with subsection (b)—

(1) the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall submit to the appropriate committees of Congress a report that describes which of the conditions set out under subsection (c) have not been met; and

(2) the Director of National Intelligence shall submit to the appropriate committees of Congress an assessment of the Director's continuing ability to meet national intelligence requirements and appropriately conduct intelligence gain and loss assessments in scenarios with competing requirements.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—The term ''appropriate committees of Congress'' means—

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

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

(2) NATIONAL INTELLIGENCE.—The term ''national intelligence'' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SA 4524. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) 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 1633 and insert the following:

SEC. 1633. PROCESS FOR ENDING OF ARRANGEMENT IN WHICH THE COMMANDER OF THE UNITED STATES CYBER COMMAND IS ALSO DIRECTOR OF THE NATIONAL SECURITY AGENCY.

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

(1) the ending of the arrangement (commonly referred to as a ''dual-hat arrangement'') under which the Commander of the United States Cyber Command also serves as the Director of the National Security Agency needs to be carefully considered and done through conditions-based criteria; and

(2) until such arrangement is ended, it is important to ensure such arrangement does not impede the Director's service of national intelligence requirements.

(b) PROCESSES FOR ENDING OF CURRENT ARRANGEMENT.—The Secretary of Defense may not take action to end the arrangement described in subsection (a) until—

(1) the Secretary and the Chairman of the Joint Chiefs of Staff jointly determine and certify to the appropriate committees of Congress that the end of that arrangement will not pose risks to the military effectiveness of the United States Cyber Command that are unacceptable in the national security interests of the United States; or

(2) the Director of National Intelligence determines and certifies to the appropriate committees of Congress that the continuation of that arrangement poses risks and impedes the appropriate prioritization of national intelligence requirements.

(c) CONDITIONS-BASED CRITERIA.—The Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence shall develop criteria for assessing the military and intelligence necessity and benefit of the arrangement described in subsection (a). The criteria shall be based on measures of the operational dependence of the United States Cyber Command on the National Security Agency and the ability of each organization to accomplish their roles and responsibilities independent of the other. The conditions to be evaluated shall include the following:

(1) The sufficiency of operational infrastructure.

(2) The sufficiency of command and control systems and processes for planning, deconflicting, and executing military cyber operations, tools and weapons for achieving required effects.

(3) Technical intelligence collection and operational preparation of the environment capabilities.

(4) The ability to train personnel, test capabilities, and rehearse missions.

(5) The ability to meet national intelligence requirements.

(6) The ability to correctly and impartially conduct intelligence gain and loss assessments in scenarios with competing requirements.

(d) REPORTS.—Not later than 90 days of the date of the enactment of this Act and annually thereafter until a certification is made in accordance with subsection (b)—

(1) the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall submit to the appropriate committees of Congress a report that describes which of the conditions set out under subsection (c) have not been met; and

(2) the Director of National Intelligence shall submit to the appropriate committees of Congress an assessment of the Director's continuing ability to meet national intelligence requirements and appropriately conduct intelligence gain and loss assessments in scenarios with competing requirements.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—The term ''appropriate committees of Congress'' means—

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

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

(2) NATIONAL INTELLIGENCE.—The term ''national intelligence'' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SA 4525. Mr. BURR (for himself and Mrs. FEINSTEIN) 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 1242, line 4, strike ''committees'' and insert ''committees, the Select Committee on Intelligence of the Senate, the Permanent Select Committee on Intelligence of the House of Representatives,''.

SA 4526. Mr. BROWN 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 VIII, add the following:

SEC. 829K. PREFERENCE FOR POTENTIAL DEFENSE CONTRACTORS THAT CARRY OUT CERTAIN STEM-RELATED ACTIVITIES.

In evaluating offers submitted in response to a solicitation for contracts, the Secretary of Defense shall provide a preference to any offeror that—

(1) establishes or enhances undergraduate, graduate, and doctoral programs in science, technology, engineering, and mathematics (in this section referred to as ''STEM'' disciplines);

(2) makes investments, such as programming and curriculum development, in STEM programs within elementary and secondary schools, including those that support the needs of military children;

(3) encourages employees to volunteer in schools eligible for assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) in order to enhance STEM education and programs;

(4) makes personnel available to advise and assist faculty at colleges and universities in the performance of STEM research and disciplines critical to the functions of the Department of Defense;

(5) establishes partnerships between the offeror and historically Black colleges and universities (HBCUs) and other minority-serving institutions for the purpose of training students in scientific disciplines;

(6) awards scholarships and fellowships, and establishes cooperative work-education programs in scientific disciplines;

(7) attracts and retains faculty involved in scientific disciplines critical to the functions of the Department of Defense;

(8) conducts recruitment activities at universities and community colleges, including HBCUs, or offers internships or apprenticeships; or

(9) establishes programs and outreach efforts to strengthen STEM.

SA 4527. Mr. CASEY (for himself, Mr. INHOFE, Mr. BLUMENTHAL, 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:

On page 1180, strike lines 1 through 5 and insert the following:

(1) in paragraph (1)—

(A) by striking ''fiscal year 2016'' and inserting ''fiscal years 2016 and 2017''; and

(B) by striking ''the Government of Pakistan'' and all that follows and inserting ''any country that the Secretary of Defense, with the concurrence of the Secretary of State, has identified as critical for countering the movement of precursor materials for improvised explosive devices into Syria, Iraq, or Afghanistan.'';

(2) in paragraph (2), by striking ''the Government of Pakistan'' and inserting ''a country'';

(3) in paragraph (3), striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

''(A) listing each country identified pursuant to paragraph (1);

''(B) detailing the amount of funds to be used with respect to each country identified pursuant to paragraph (1) and the training, equipment, supplies, and services to be provided to such country;

''(C) evaluating the effectiveness of efforts by each country identified pursuant to paragraph (1) to counter the movement of precursor materials for improvised explosive devices; and

''(D) setting forth the overall plan to increase the counter-improvised explosive device capability of each country identified pursuant to paragraph (1).''; and

(4) in paragraph (4), by striking ''December 31, 2016'' and inserting ''December 31, 2017''.

(c) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the United States Government should continue and should increase interagency efforts to disrupt the flow of improvised explosive devices (IED), precursor chemicals, and components into conflict areas such as Syria, Iraq, and Afghanistan;

(2) the Department of Defense has made sizeable investments to attack the network, defeat the device, and facilitate protection of United States forces for many years and throughout the relevant theaters of operation; and

(3) it is essential that the continuing efforts of the United States to counter improvised explosive devices leverage all instruments of national power, including engagement and investment from diplomatic, economic, and law enforcement departments and agencies.

SA 4528. Mrs. MCCASKILL 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. REPORTS ON INCIDENTS OF SEXUAL ASSAULT MADE BY MEMBERS OF THE ARMED FORCES TO HEALTH CARE PERSONNEL OF THE DEPARTMENT OF VETERANS AFFAIRS TREATABLE AS DEPARTMENT OF DEFENSE RESTRICTED REPORTS.

(a) TREATMENT AT ELECTION OF MEMBERS.—Under procedures established by the Secretary of Veterans Affairs, a report on an incident of sexual assault made by a member of the Armed Forces while undergoing a Separation History and Physical Examination to such health care personnel of the Department of Veterans Affairs performing the examination as the Secretary shall specify for purposes of such procedures may, at the election of the member, be treated as a Restricted Report on the incident for Department of Defense purposes.

(b) TRANSMITTAL TO DEPARTMENT OF DEFENSE.—Under procedures jointly established by the Secretary of Veterans Affairs and the Secretary of Defense, a report on an incident of sexual assault treated as a Restricted Report pursuant to subsection (a) shall be transmitted by the Department of Veterans Affairs to such personnel of the Department of Defense who are authorized to access Restricted Reports on incidents of sexual assault as the Secretary of Defense shall specify for purposes of such procedures. The transmittal shall be made in a manner that preserves for all purposes the confidential nature of the report as a Restricted Report.

SA 4529. Mrs. MURRAY (for herself and Mr. KAINE) 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 562 and insert the following:

SEC. 562. MODIFICATION OF PROGRAM TO ASSIST MEMBERS OF THE ARMED FORCES IN OBTAINING PROFESSIONAL CREDENTIALS.

(a) SCOPE OF PROGRAM.—Subsection (a)(1) of section 2015 of title 10, United States Code, is amended by striking ''incident to the performance of their military duties''.

(b) QUALITY ASSURANCE OF CERTIFICATION PROGRAMS AND STANDARDS.—Subsection (c) of such section is amended—

(1) in paragraph (1), by striking ''under subsection (a) is accredited by'' and all that follows and inserting ''under subsection (a)—

''(A) is accredited by an accreditation body that meets the requirements in paragraph (2); or

''(B) meets requirements in paragraph (3) or (4).''; and

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

''(3) A credentialing program meets the requirements in this paragraph if—

''(A) the program results in a recognized postsecondary credential, including—

''(i) an industry recognized certificate or certification, including a credential recognized by employers within an industry or sector to meet employment requirements, or where appropriate, a credential endorsed by a nationally-recognized trade association or organization representing a significant part of the industry or sector;

''(ii) a certificate of completion of a registered apprenticeship; or

''(iii) a license recognized by a State or the Federal Government; or

''(B) the credential granted by the program meets standards established by a Federal agency.

''(4) A credentialing program meets the requirements in this paragraph if the program is provided by an eligible training provider under section 122 of the Workforce Innovation and Opportunity Act (Public Law 113–128).''.

(c) REGULATIONS.—Subsection (d)(3) of such section is amended—

(1) by redesignating subparagraph (D) as subparagraph (E); and

(2) by inserting after subparagraph (C) the following new subparagraph (D):

''(D) With respect to the provision of credentials under this section that are accepted or preferred by employers within an industry or sector, mechanisms to verify that—

''(i) such credentials are in fact required or preferred for such employment (or advancement in such employment); and

''(ii) the provider of such credentialing programs meet quality assurance criteria as the Secretary concerned, in consultation with the Secretary of Labor, considers appropriate necessary to safeguard the integrity of the credentialing program and provide effective stewardship of Federal resources.''.

SA 4530. Mrs. GILLIBRAND (for herself and Mr. DAINES) 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. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE FOR VETERANS WHO SERVED IN VICINITY OF REPUBLIC OF VIETNAM.

(a) COMPENSATION.—Subsections (a)(1) and (f) of section 1116 of title 38, United States Code, are amended by inserting ''(including its territorial seas)'' after ''served in the Republic of Vietnam'' each place such phrase appears.

(b) HEALTH CARE.—Section 1710(e)(4) of such title is amended by inserting ''(including its territorial seas)'' after ''served on active duty in the Republic of Vietnam''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect as if enacted on September 25, 1985.

SEC. 1098. TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE.

(a) IN GENERAL.—Section 411 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note), as added by section 402(g) of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act (title IV of division O of Public Law 114–113), is amended—

(1) by amending to section heading to read as follows: ''**TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE**''; and

(2) by striking subsections (a) and (b) and inserting the following:

''(a) TEMPORARY L VISA FEE INCREASE.—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition filed under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)), except for an amended petition without an extension of stay request, shall be increased by $4,500 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner's employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act. This fee shall also apply to petitioners described in this subsection who file an individual petition on the basis of an approved blanket petition.

''(b) TEMPORARY H-1B VISA FEE INCREASE.—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)), except for an amended petition without an extension of stay request, shall be increased by $4,000 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner's employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act.''.

(b) EFFECTIVE DATES.—The amendments made by subsection (a)—

(1) shall take effect on the date that is 30 days after the date of the enactment of this Act; and

(2) shall apply to any petition filed during the period beginning on such effective date and ending on September 30, 2025.

SA 4531. Mr. BOOKER (for himself, Mr. BLUMENTHAL, Mr. NELSON, Mr. SCHUMER, and Mr. MENENDEZ) 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. IMPLEMENTATION OF OUTSTANDING TRANSPORTATION SECURITY REQUIREMENTS.

Not later than 6 months after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall, at a minimum, complete sections 1512 and 1517 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1162 and 1167).

SA 4532. Mr. MANCHIN 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 VIII, add the following:

SEC. 877. COMPTROLLER GENERAL REPORT ON SOLID ROCKET MOTOR (SRM) INDUSTRIAL BASE FOR TACTICAL MISSILES.

(a) IN GENERAL.—Not later than March 31, 2017, the Comptroller General of the United States shall submit to the congressional defense committees a report on the solid rocket motor (SRM) industrial base for tactical missiles.

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

(1) A review of all Department of Defense reports that have been published since 2009 on the United States tactical solid rocket motor (SRM) industrial base, together with the analyses underlying such reports.

(2) An examination of the factors the Department uses in awarding SRM contracts and that Department of Defense contractors use in awarding SRM subcontracts, including cost, schedule, technical qualifications, supply chain diversification, past performance, and other evaluation factors, such as meeting offset obligations under foreign military sales agreements.

(3) An assessment of the foreign-built portion of the United States SRM market and of the effectiveness of actions taken by the Department to address the declining state of the United States tactical SRM industrial base.

SA 4533. Mr. SCHATZ (for himself and Mr. SASSE) 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 title X, add the following:

Subtitle J—Open Government Data

SEC. 1097. SHORT TITLE.

(a) SHORT TITLE.—This subtitle may be cited as the ''Open, Public, Electronic, and Necessary Government Data Act'' or the ''OPEN Government Data Act''.

SEC. 1098. FINDINGS; AGENCY DEFINED.

(a) FINDINGS.—Congress finds the following:

(1) Federal Government data is a valuable national resource. Managing Federal Government data to make it open, available, discoverable, and useable to the general public, businesses, journalists, academics, and advocates promotes efficiency and effectiveness in Government, creates economic opportunities, promotes scientific discovery, and most importantly, strengthens our democracy.

(2) Maximizing the usefulness of Federal Government data that is appropriate for release rests upon making it readily available, discoverable, and usable—in a word: open. Information presumptively should be available to the general public unless the Federal Government reasonably foresees that disclosure could harm a specific, articulable interest protected by law or the Federal Government is otherwise expressly prohibited from releasing such data due to statutory requirements.

(3) The Federal Government has the responsibility to be transparent and accountable to its citizens.

(4) Data controlled, collected, or created by the Federal Government should be originated, transmitted, and published in modern, open, and electronic format, to be as readily accessible as possible, consistent with data standards imbued with authority under this subtitle and to the extent permitted by law.

(5) The effort to inventory Government data will have additional benefits, including identifying opportunities within agencies to reduce waste, increase efficiencies, and save taxpayer dollars. As such, this effort should involve many types of data, including data generated by applications, devices, networks, and equipment, which can be harnessed to improve operations, lower energy consumption, reduce costs, and strengthen security.

(6) Communication, commerce, and data transcend national borders. Global access to Government information is often essential to promoting innovation, scientific discovery, entrepreneurship, education, and the general welfare.

(b) AGENCY DEFINED.—In this subtitle, the term ''agency'' has the meaning given that term in section 3502 of title 44, United States Code, and includes the Federal Election Commission.

SEC. 1099. RULE OF CONSTRUCTION.

Nothing in this subtitle, or the amendments made by this subtitle, shall be construed to require the disclosure of information or records that are exempt from public disclosure under section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'').

SEC. 1099A. FEDERAL INFORMATION POLICY DEFINITIONS.

Section 3502 of title 44, United States Code, is amended—

(1) in paragraph (13), by striking ''; and'' at the end and inserting a semicolon;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(15) the term 'data' means recorded information, regardless of form or the media on which the data is recorded;

''(16) the term 'data asset' means a collection of data elements or data sets that may be grouped together;

''(17) the term 'Enterprise Data Inventory' means the data inventory developed and maintained pursuant to section 3523;

''(18) the term 'machine-readable' means a format in which information or data can be easily processed by a computer without human intervention while ensuring no semantic meaning is lost;

''(19) the term 'metadata' means structural or descriptive information about data such as content, format, source, rights, accuracy, provenance, frequency, periodicity, granularity, publisher or responsible party, contact information, method of collection, and other descriptions;

''(20) the term 'nonpublic data asset'—

''(A) means a data asset that may not be made available to the public for privacy, security, confidentiality, regulation, or other reasons as determined by law; and

''(B) includes data provided by contractors that is protected by contract, license, patent, trademark, copyright, confidentiality, regulation, or other restriction;

''(21) the term 'open format' means a technical format based on an underlying open standard that is—

''(A) not encumbered by restrictions that would impede use or reuse; and

''(B) based on an underlying open standard that is maintained by a standards organization;

''(22) the term 'open Government data' means a Federal Government public data asset that is—

''(A) machine-readable;

''(B) available in an open format; and

''(C) part of the worldwide public domain or, if necessary, published with an open license;

''(23) the term 'open license' means a legal guarantee applied to a data asset that is made available to the public that such data asset is made available—

''(A) at no cost to the public; and

''(B) with no restrictions on copying, publishing, distributing, transmitting, citing, or adapting; and

''(24) the term 'public data asset' means a collection of data elements or a data set maintained by the Government that—

''(A) may be released; or

''(B) has been released to the public in an open format and is discoverable through a search of Data.gov.''.

SEC. 1099B. REQUIREMENT FOR MAKING OPEN AND MACHINE-READABLE THE DEFAULT FOR GOVERNMENT DATA.

(a) AMENDMENT.—Subchapter I of chapter 35 of title 44, United States Code, is amended by adding at the end the following:

''§ 3522. Requirements for Government data

''(a) MACHINE-READABLE DATA REQUIRED.—Government data assets made available by an agency shall be published as machine-readable data.

''(b) OPEN BY DEFAULT.—When not otherwise prohibited by law, and to the extent practicable, Government data assets shall—

''(1) be available in an open format; and

''(2) be available under open licenses.

''(c) OPEN LICENSE OR WORLDWIDE PUBLIC DOMAIN DEDICATION REQUIRED.—When not otherwise prohibited by law, and to the extent practicable, Government data assets published by or for an agency shall be made available under an open license or, if not made available under an open license and appropriately released, shall be considered to be published as part of the worldwide public domain.

''(d) INNOVATION.—Each agency may engage with nongovernmental organizations, citizens, non-profit organizations, colleges and universities, private and public companies, and other agencies to explore opportunities to leverage the agency's public data asset in a manner that may provide new opportunities for innovation in the public and private sectors in accordance with law and regulation.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 35 of title 44, United States Code, is amended by inserting after the item relating to section 3521 the following:

''3522. Requirements for Government data.''.

(c) EFFECTIVE DATE.—Notwithstanding section 1099G, the amendments made by subsections (a) and (b) shall take effect on the date that is 1 year after the date of enactment of this Act and shall apply with respect to any contract entered into by an agency on or after such effective date.

(d) USE OF OPEN DATA ASSETS.—Not later than 1 year after the date of enactment of this Act, the head of each agency shall ensure that any activities by the agency or any new contract entered into by the agency meet the requirements of section 3522 of title 44, United States Code, as added by subsection (a).

SEC. 1099C. RESPONSIBILITIES OF THE OFFICE OF ELECTRONIC GOVERNMENT.

(a) COORDINATION OF FEDERAL INFORMATION RESOURCES MANAGEMENT POLICY.—Section 3503 of title 44, United States Code, is amended by adding at the end the following:

''(c) COORDINATION OF FEDERAL INFORMATION RESOURCES MANAGEMENT POLICY.—The Federal Chief Information Officer shall work in coordination with the Administrator of the Office of Information and Regulatory Affairs and with the heads of other offices within the Office of Management and Budget to oversee and advise the Director on Federal information resources management policy.''.

(b) AUTHORITY AND FUNCTIONS OF DIRECTOR.—Section 3504(h) of title 44, United States Code, is amended—

(1) in paragraph (1), by inserting '', the Federal Chief Information Officer,'' after ''the Director of the National Institute of Standards and Technology'';

(2) in paragraph (4)—

(A) in subparagraph (A), by striking ''; and'' and inserting a semicolon; and

(B) by adding at the end the following:

''(C) oversee the completeness of the Enterprise Data Inventory and the extent to which the agency is making all data collected and generated by the agency available to the public in accordance with section 3523;'';

(3) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(6) coordinate the development and review of Federal information resources management policy by the Administrator of the Office of Information and Regulatory Affairs and the Federal Chief Information Officer.''.

(c) CHANGE OF NAME OF THE OFFICE OF ELECTRONIC GOVERNMENT.—

(1) DEFINITIONS.—Section 3601 of title 44, United States Code, is amended—

(A) by striking paragraph (1);

(B) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively; and

(C) by inserting after paragraph (3), as so redesignated, the following:

''(4) 'Federal Chief Information Officer' means the Federal Chief Information Officer of the Office of the Federal Chief Information Officer established under section 3602;''.

(2) OFFICE OF THE FEDERAL CHIEF INFORMATION OFFICER.—Section 3602 of title 44, United States Code, is amended—

(A) in the heading, by striking ''**Electronic Government**'' and inserting ''**the Federal Chief Information Officer**'';

(B) in subsection (a), by striking ''Office of Electronic Government'' and inserting ''Office of the Federal Chief Information Officer'';

(C) in subsection (b), by striking ''an Administrator'' and inserting ''a Federal Chief Information Officer'';

(D) in subsection (c), by striking ''The Administrator'' and inserting ''The Federal Chief Information Officer'';

(E) in subsection (d), by striking ''The Administrator'' and inserting ''The Federal Chief Information Officer'';

(F) in subsection (e), by striking ''The Administrator'' and inserting ''The Federal Chief Information Officer'';

(G) in subsection (f)—

(i) in the matter preceding paragraph (1), by striking ''the Administrator shall'' and inserting ''the Federal Chief Information Officer shall''; and

(ii) in paragraph (16), by striking ''the Office of Electronic Government'' and inserting ''the Office of the Federal Chief Information Officer''; and

(H) in subsection (g), by striking ''the Office of Electronic Government'' and inserting ''the Office of the Federal Chief Information Officer''.

(3) CHIEF INFORMATION OFFICERS COUNCIL.—Section 3603 of title 44, United States Code, is amended—

(A) in subsection (b)(2), by striking ''The Administrator of the Office of Electronic Government'' and inserting ''The Federal Chief Information Officer'';

(B) in subsection (c)(1), by striking ''The Administrator of the Office of Electronic Government'' and inserting ''The Federal Chief Information Officer''; and

(C) in subsection (f)(3), by striking ''the Administrator'' and inserting ''the Federal Chief Information Officer''.

(4) E–GOVERNMENT FUND.—Section 3604 of title 44, United States Code, is amended—

(A) in subsection (a)(2), by striking ''the Administrator of the Office of Electronic Government'' and inserting ''the Federal Chief Information Officer'';

(B) in subsection (b), by striking ''Administrator'' each place it appears and inserting ''Federal Chief Information Officer''; and

(C) in subsection (c), by striking ''the Administrator'' and inserting ''the Federal Chief Information Officer''.

(5) PROGRAM TO ENCOURAGE INNOVATIVE SOLUTIONS TO ENHANCE ELECTRONIC GOVERNMENT SERVICES AND PROCESSES.—Section 3605 of title 44, United States Code, is amended—

(A) in subsection (a), by striking ''The Administrator'' and inserting ''The Federal Chief Information Officer'';

(B) in subsection (b), by striking '', the Administrator,'' and inserting '', the Federal Chief Information Officer,''; and

(C) in subsection (c)—

(i) in paragraph (1)—

(I) by striking ''The Administrator'' and inserting ''The Federal Chief Information Officer''; and

(II) by striking ''proposals submitted to the Administrator'' and inserting ''proposals submitted to the Federal Chief Information Officer'';

(ii) in paragraph (2), by striking ''the Administrator'' and inserting ''the Federal Chief Information Officer''; and

(iii) in paragraph (4), by striking ''the Administrator'' and inserting ''the Federal Chief Information Officer''.

(6) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TABLE OF SECTIONS.—The table of sections for chapter 36 of title 44, United States Code, is amended by striking the item relating to section 3602 and inserting the following:

''3602. Office of the Federal Chief Information Officer.''.

(B) POSITIONS AT LEVEL III.—Section 5314 of title 5, United States Code, is amended by striking ''Administrator of the Office of Electronic Government'' and inserting ''Federal Chief Information Officer''.

(C) OFFICE OF ELECTRONIC GOVERNMENT.—Section 507 of title 31, United States Code, is amended by striking ''The Office of Electronic Government'' and inserting ''The Office of the Federal Chief Information Officer''.

(D) ELECTRONIC GOVERNMENT AND INFORMATION TECHNOLOGIES.—Section 305 of title 40, United States Code, is amended by striking ''Administrator of the Office of Electronic Government'' and inserting ''Federal Chief Information Officer''.

(E) CAPITAL PLANNING AND INVESTMENT CONTROL.—Section 11302(c)(4) of title 40, United States Code, is amended by striking ''Administrator of the Office of Electronic Government'' each place it appears and inserting ''Federal Chief Information Officer''.

(F) RESOURCES, PLANNING, AND PORTFOLIO MANAGEMENT.—The second subsection (c) of section 11319 of title 40, United States Code, is amended by striking ''Administrator of the Office of Electronic Government'' each place it appears and inserting ''Federal Chief Information Officer''.

(G) ADDITIONAL TECHNICAL AND CONFORMING AMENDMENTS.—

(i) Section 2222(i)(6) of title 10, United States Code, is amended by striking ''section 3601(4)'' and inserting ''section 3601(3)''.

(ii) Section 506D(k)(1) of the National Security Act of 1947 (50 U.S.C. 3100(k)(1)) is amended by striking ''section 3601(4)'' and inserting ''section 3601(3)''.

(7) RULE OF CONSTRUCTION.—The amendments made by this subsection are for the purpose of changing the name of the Office of Electronic Government and the Administrator of such office and shall not be construed to affect any of the substantive provisions of the provisions amended or to require a new appointment by the President.

SEC. 1099D. DATA INVENTORY AND PLANNING.

(a) ENTERPRISE DATA INVENTORY.—

(1) AMENDMENT.—Subchapter I of chapter 35 of title 44, United States Code, as amended by section 1099B, is amended by adding at the end the following:

''§ 3523. Enterprise data inventory

''(a) AGENCY DATA INVENTORY REQUIRED.—

''(1) IN GENERAL.—In order to develop a clear and comprehensive understanding of the data assets in the possession of an agency, the head of each agency, in consultation with the Director of the Office of Management and Budget, shall develop and maintain an enterprise data inventory (in this section referred to as the 'Enterprise Data Inventory') that accounts for any data asset created, collected, under the control or direction of, or maintained by the agency after the effective date of this section, with the ultimate goal of including all data assets, to the extent practicable.

''(2) CONTENTS.—The Enterprise Data Inventory shall include each of the following:

''(A) Data assets used in agency information systems, including program administration, statistical, and financial activity.

''(B) Data assets shared or maintained across agency programs and bureaus.

''(C) Data assets that are shared among agencies or created by more than 1 agency.

''(D) A clear indication of all data assets that can be made publicly available under section 552 of title 5 (commonly referred to as the 'Freedom of Information Act').

''(E) A description of whether the agency has determined that an individual data asset may be made publicly available and whether the data asset is currently available to the public.

''(F) Non-public data assets.

''(G) Government data assets generated by applications, devices, networks, and equipment, categorized by source type.

''(b) PUBLIC AVAILABILITY.—The Chief Information Officer of each agency shall use the guidance provided by the Director issued pursuant to section 3504(a)(1)(C)(ii) to make public data assets included in the Enterprise Data Inventory publicly available in an open format and under an open license.

''(c) NON-PUBLIC DATA.—Non-public data included in the Enterprise Data Inventory may be maintained in a non-public section of the inventory.

''(d) AVAILABILITY OF ENTERPRISE DATA INVENTORY.—The Chief Information Officer of each agency—

''(1) shall make the Enterprise Data Inventory available to the public on Data.gov;

''(2) shall ensure that access to the Enterprise Data Inventory and the data contained therein is consistent with applicable law and regulation; and

''(3) may implement paragraph (1) in a manner that maintains a non-public portion of the Enterprise Data Inventory.

''(e) REGULAR UPDATES REQUIRED.—The Chief Information Officer of each agency shall—

''(1) to the extent practicable, complete the Enterprise Data Inventory for the agency not later than 1 year after the date of enactment of this section; and

''(2) add additional data assets to the Enterprise Data Inventory for the agency not later than 90 days after the date on which the data asset is created or identified.

''(f) USE OF EXISTING RESOURCES.—When practicable, the Chief Information Officer of each agency shall use existing procedures and systems to compile and publish the Enterprise Data Inventory for the agency.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 35 of title 44, United States Code, as amended by section 5, is amended by inserting after the item relating to section 3522 the following:

''3523. Enterprise data inventory.''.

(b) STANDARDS FOR ENTERPRISE DATA INVENTORY.—Section 3504(a)(1) of title 44, United States Code, is amended—

(1) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (B)(vi), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(C) issue standards for the Enterprise Data Inventory described in section 3523, including—

''(i) a requirement that the Enterprise Data Inventory include a compilation of metadata about agency data assets; and

''(ii) criteria that the head of each agency shall use in determining whether to make a particular data asset publicly available in a manner that takes into account—

''(I) the expectation of confidentiality associated with an individual data asset;

''(II) security considerations, including the risk that information in an individual data asset in isolation does not pose a security risk but when combined with other available information may pose such a risk;

''(III) the cost and value to the public of converting the data into a manner that could be understood and used by the public;

''(IV) the expectation that all data assets that would otherwise be made available under section 552 of title 5 (commonly referred to as the 'Freedom of Information Act') be disclosed; and

''(V) any other considerations that the Director determines to be relevant.''.

(c) FEDERAL AGENCY RESPONSIBILITIES.—Section 3506 of title 44, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(C), by striking ''security;'' and inserting the following: ''security by—

''(i) using open format for any new Government data asset created or obtained on the date that is 1 year after the date of enactment of this clause; and

''(ii) to the extent practicable, encouraging the adoption of open form for all open Government data created or obtained before the date of enactment of this clause;'';

(B) in paragraph (4), by striking ''subchapter; and'' and inserting ''subchapter and a review of each agency's Enterprise Data Inventory described in section 3523;'';

(C) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(6) in consultation with the Director, develop an open data plan as a part of the requirement for a strategic information resources management plan described in paragraph (2) that, at a minimum and to the extent practicable—

''(A) requires the agency to develop processes and procedures that—

''(i) require each new data collection mechanism to use an open format; and

''(ii) allow the agency to collaborate with non-Government entities, researchers, businesses, and private citizens for the purpose of understanding how data users value and use open Government data;

''(B) identifies and implements methods for collecting and analyzing digital information on data asset usage by users within and outside of the agency, including designating a point of contact within the agency to assist the public and to respond to quality issues, usability, recommendations for improvements, and complaints about adherence to open data requirements in accordance with subsection (d)(2);

''(C) develops and implements a process to evaluate and improve the timeliness, completeness, accuracy, usefulness, and availability of open Government data;

''(D) requires the agency to update the plan at an interval determined by the Director;

''(E) includes requirements for meeting the goals of the agency open data plan including technology, training for employees, and implementing procurement standards, in accordance with existing law, that allow for the acquisition of innovative solutions from the public and private sector; and

''(F) prohibits the dissemination and accidental disclosure of nonpublic data assets.'';

(2) in subsection (c), by striking ''With respect to'' and inserting ''Except as provided under subsection (j), with respect to'';

(3) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking ''shall'';

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting ''shall'' before ''ensure'';

(ii) in subparagraph (A), by striking ''sources'' and inserting ''sources and uses''; and

(iii) in subparagraph (C), by inserting '', including providing access to open Government data online'' after ''economical manner'';

(C) in paragraph (2), by inserting ''shall'' before ''regularly'';

(D) in paragraph (3)—

(i) by inserting ''shall'' before ''provide''; and

(ii) by striking ''; and'' and inserting a semicolon;

(E) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by inserting ''may'' before ''not''; and

(ii) by striking the period at the end and inserting a semicolon; and

(F) by adding at the end the following:

''(5) shall take the necessary precautions to ensure that the agency maintains the production and publication of data assets which are directly related to activities that protect the safety of human life or property, as identified by the open data plan of the agency required by subsection (b)(6); and

''(6) may engage the public in using open Government data and encourage collaboration by—

''(A) publishing information on open Government data usage in regular, timely intervals, but not less than annually;

''(B) receiving public input regarding priorities for the analysis and disclosure of data assets to be published;

''(C) assisting civil society groups and members of the public working to expand the use of open Government data; and

''(D) hosting challenges, competitions, events, or other initiatives designed to create additional value from open Government data.''; and

(4) by adding at the end the following:

''(j) COLLECTION OF INFORMATION EXCEPTION.—Notwithstanding subsection (c), an agency is not required to meet the requirements of paragraphs (2) and (3) of such subsection if—

''(1) the waiver of those requirements is approved by the head of the agency;

''(2) the collection of information is—

''(A) online and electronic;

''(B) voluntary and there is no perceived or actual tangible benefit to the provider of the information;

''(C) of an extremely low burden that is typically completed in 5 minutes or less; and

''(D) focused on gathering input about the performance of, or public satisfaction with, an agency providing service; and

''(3) the agency publishes representative summaries of the collection of information under subsection (c).''.

(d) REPOSITORY.—The Director of the Office of Management and Budget shall collaborate with the Office of Government Information Services and the Administrator of General Services to develop and maintain an online repository of tools, best practices, and schema standards to facilitate the adoption of open data practices. The repository shall—

(1) include definitions, regulation and policy, checklists, and case studies related to open data, this subtitle, and the amendments made by this subtitle; and

(2) facilitate collaboration and the adoption of best practices across the Federal Government relating to the adoption of open data practices.

(e) SYSTEMATIC AGENCY REVIEW OF OPERATIONS.—Section 305 of title 5, United States Code, is amended—

(1) in subsection (b), by adding at the end the following: ''To the extent practicable, each agency shall use existing data to support such reviews if the data is accurate and complete.'';

(2) in subsection (c)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) determining the status of achieving the mission, goals, and objectives of the agency as described in the strategic plan of the agency published pursuant to section 306;''; and

(3) by adding at the end the following:

''(d) OPEN DATA COMPLIANCE REPORT.—Not later than 1 year after the date of enactment of this subsection, and every 2 years thereafter, the Director of the Office of Management and Budget shall electronically publish a report on agency performance and compliance with the Open, Public, Electronic, and Necessary Government Data Act and the amendments made by that Act.''.

(f) GAO REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report that identifies—

(1) the value of information made available to the public as a result of this subtitle and the amendments made by this subtitle;

(2) whether it is valuable to expand the publicly available information to any other data assets; and

(3) the completeness of the Enterprise Data Inventory at each agency required under section 3523 of title 44, United States Code, as added by this section.

SEC. 8. TECHNOLOGY PORTAL.

(a) AMENDMENT.—Subchapter I of chapter 35 of title 44, United States Code, is amended by inserting after section 3511 the following:

''§ 3511A. Technology portal

''(a) DATA.GOV REQUIRED.—The Administrator of General Services shall maintain a single public interface online as a point of entry dedicated to sharing open Government data with the public.

''(b) COORDINATION WITH AGENCIES.—The Director of the Office of Management and Budget shall determine, after consultation with the head of each agency and the Administrator of General Services, the method to access any open Government data published through the interface described in subsection (a).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 35 of title 44, United States Code, as amended by this subtitle, is amended by inserting after the item relating to section 3511 the following:

''3511A. Technology portal.''.

(c) DEADLINE.—Not later than 180 days after the date of enactment of this Act, the Administrator of General Services shall meet the requirements of section 3511A(a) of title 44, United States Code, as added by subsection (a).

SEC. 1099E. ENHANCED RESPONSIBILITIES FOR CHIEF INFORMATION OFFICERS AND CHIEF INFORMATION OFFICERS COUNCIL DUTIES.

(a) AGENCY CHIEF INFORMATION OFFICER GENERAL RESPONSIBILITIES.—

(1) GENERAL RESPONSIBILITIES.—Section 11315(b) of title 40, United States Code, is amended—

(A) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(4) data asset management, format standardization, sharing of data assets, and publication of data assets;

''(5) the compilation and publication of the Enterprise Data Inventory for the agency required under section 3523 of title 44;

''(6) ensuring that agency data conforms with open data best practices;

''(7) ensuring compliance with the requirements of subsections (b), (c), (d), and (f) of section 3506 of title 44;

''(8) engaging agency employees, the public, and contractors in using open Government data and encourage collaborative approaches to improving data use;

''(9) supporting the agency Performance Improvement Officer in generating data to support the function of the Performance Improvement Officer described in section 1124(a)(2) of title 31;

''(10) reviewing the information technology infrastructure of the agency and the impact of such infrastructure on making data assets accessible to reduce barriers that inhibit data asset accessibility;

''(11) ensuring that, to the extent practicable, the agency is maximizing its own use of data, including data generated by applications, devices, networks, and equipment owned by the Government and such use is not otherwise prohibited, to reduce costs, improve operations, and strengthen security and privacy protections; and

''(12) identifying points of contact for roles and responsibilities related to open data use and implementation as required by the Director of the Office of Management and Budget.''.

(2) ADDITIONAL DEFINITIONS.—Section 11315 of title 40, United States Code, is amended by adding at the end the following:

''(d) ADDITIONAL DEFINITIONS.—In this section, the terms 'data', 'data asset', 'Enterprise Data Inventory', and 'open Government data' have the meanings given those terms in section 3502 of title 44.''.

(b) AMENDMENT.—Section 3603(f) of title 44, United States Code, is amended by adding at the end the following:

''(8) Work with the Office of Government Information Services and the Director of the Office of Science and Technology Policy to promote data interoperability and comparability of data assets across the Government.''.

SEC. 1099F. EVALUATION OF AGENCY ANALYTICAL CAPABILITIES.

(a) AGENCY REVIEW OF EVALUATION AND ANALYSIS CAPABILITIES; REPORT.—Not later than 3 years after the date of enactment of this Act, the Chief Operating Officer of each agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Director of the Office of Management and Budget a report on the review described in subsection (b).

(b) REQUIREMENTS OF AGENCY REVIEW.—The report required under subsection (a) shall assess the coverage, quality, methods, effectiveness, and independence of the agency's evaluation research and analysis efforts, including each of the following:

(1) A list of the activities and operations of the agency that are being evaluated and analyzed and the activities and operations that have been evaluated and analyzed during the previous 5 years.

(2) The extent to which the evaluations research and analysis efforts and related activities of the agency support the needs of various divisions within the agency.

(3) The extent to which the evaluation research and analysis efforts and related activities of the agency address an appropriate balance between needs related to organizational learning, ongoing program management, performance management, strategic management, interagency and private sector coordination, internal and external oversight, and accountability.

(4) The extent to which the agency uses methods and combinations of methods that are appropriate to agency divisions and the corresponding research questions being addressed, including an appropriate combination of formative and summative evaluation research and analysis approaches.

(5) The extent to which evaluation and research capacity is present within the agency to include personnel, agency process for planning and implementing evaluation activities, disseminating best practices and findings, and incorporating employee views and feedback.

(6) The extent to which the agency has the capacity to assist front-line staff and program offices to develop the capacity to use evaluation research and analysis approaches and data in the day-to-day operations.

(c) GAO REVIEW OF AGENCY REPORTS.—Not later than 4 years after the date of enactment of this Act, the Comptroller General of

the United States shall submit to Congress a report that summarizes agency findings and highlights trends from the reports submitted pursuant to subsection (a) and, if appropriate, recommends actions to further improve agency capacity to use evaluation techniques and data to support evaluation efforts.

SEC. 1099G. EFFECTIVE DATE.

This subtitle, and the amendments made by this subtitle, shall take effect on the date that is 180 days after the date of enactment of this Act.

SA 4534. Mr. UDALL 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 1086, between lines 18 and 19, insert the following:

''(D) Comprehensive evaluations of the short-term, medium-term, and, when appropriate, long-term effectiveness of initiatives to build partner capacities informed by the perspectives of the recipient countries on such effectiveness of such programs and activities, including regular evaluations of such initiatives in the geographic area of responsibility of each geographic combatant command, where applicable.

SA 4535. 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. MEAT OPTIONS.

(a) IN GENERAL.—Dining facilities of the Department of Defense and the Department of Homeland Security, in the case of the Coast Guard when it is not operating as a service in the Navy, shall provide members of the Armed Forces on a daily basis with meat options that meet or exceed the nutritional standards established in the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341).

(b) PROHIBITION.—None of the funds authorized to be appropriated by this Act may be obligated or expended to establish or enforce ''Meatless Monday'' or any other program explicitly designed to reduce the amount of animal protein that members of the Armed Forces voluntarily consume.

SA 4536. Mr. CASSIDY 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. EXTENSION OF DEADLINE FOR MILITARY TRAINING STATES.

(a) DESIGNATION SUBMISSION.—Notwithstanding any other provision of law, not later than October 26, 2024, in the case of a State in which an installation or activity of the Department of Defense (as defined in section 101(a)(6) of title 10, United States Code) is located, with respect to the final rule entitled ''National Ambient Air Quality Standards for Ozone'' (80 Fed. Reg. 65292 (October 26, 2015)) (referred to in this section as the ''2015 ozone standards)'', the Governor of each State, in accordance with section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)) shall designate all areas, or portions of areas, of the State as attainment, nonattainment, or unclassified with respect to the 2015 ozone standards.

(b) DESIGNATION PROMULGATION.—Notwithstanding any other provision of law, not later than October 26, 2025, in the case of a State in which an installation or activity of the Department of Defense is located, the Administrator of the Environmental Protection Agency shall promulgate final designations under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)) for all areas of the State with respect to the 2015 ozone standards, including any modification to a designation submitted under subsection (a).

(c) STATE IMPLEMENTATION PLANS.—Notwithstanding the deadline described in section 110(a)(1) of the Clean Air Act (42 U.S.C. 7410(a)(1)), not later than October 26, 2026, in the case of a State in which an installation or activity of the Department of Defense is located, the State shall submit to the Administrator of the Environmental Protection Agency an implementation plan required under that section with respect to the 2015 ozone standards.

(d) PRECONSTRUCTION PERMITS.—

(1) IN GENERAL.—In the case of a State in which an installation or activity of the Department of Defense is located, the 2015 ozone standards shall not apply to the review and disposition of a preconstruction permit application required under part C or D of title I of the Clean Air Act (42 U.S.C. 7470 et seq.) if the Administrator or the State, local, or tribal permitting authority, as applicable—

(A) determines that the preconstruction permit application is complete before the date on which final designations are promulgated; or

(B) publishes a public notice of a preliminary determination or draft permit before the date that is 60 days after the date on which final designations are promulgated.

(2) GUIDANCE FOR IMPLEMENTATION.—In publishing any final rule establishing or revising a national ambient air quality standard, the Administrator shall, as the Administrator determines necessary to assist States, permitting authorities, and permit applicants, concurrently publish final regulations and guidance for implementing the national ambient air quality standard, including information relating to submission and consideration of a preconstruction permit application under the new or revised national ambient air quality standard.

(3) APPLICABILITY OF NATIONAL AMBIENT AIR QUALITY STANDARD TO PRECONSTRUCTION PERMITTING.—If the Administrator fails to publish the final regulations and guidance referred to in paragraph (2) that include information relating to submission and consideration of a preconstruction permit application under a new or revised national ambient air quality standard concurrently with the national ambient air quality standard, the new or revised national ambient air quality standard shall not apply to the review and disposition of a preconstruction permit application until the date on which the Administrator publishes the final regulations and guidance.

SA 4537. 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 E of title III, add the following:

SEC. 341. MITIGATION OF RISKS POSED BY ZIKA VIRUS.

(a) INSECT REPELLANT AND OTHER MEASURES TO PROTECT SERVICE MEMBERS FROM THE ZIKA VIRUS.—Funds authorized to be appropriated by this Act or otherwise made available for operation and maintenance, Defense-wide, shall be made available for the deployment of insect repellant and other appropriate measures for members of the Armed Forces and Department of Defense civilian personnel stationed in or deployed to areas affected by the Zika virus, as well as the treatment for insects at military installations located in areas affected by the Zika virus inside and outside the United States. The Department shall provide support as appropriate to foreign governments to counter insects at foreign military installations where members of the Armed Forces and Department of Defense civilian personnel are stationed in areas affected by the Zika virus.

(b) REPORT ON EFFORTS TO MITIGATE RISK TO SERVICE MEMBERS POSED BY THE ZIKA VIRUS.—Not later than 90 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 risk members of the Armed Forces face of contracting the Zika virus and the mitigation efforts being taken by the Department of Defense in response. The report shall include a strategy to counter the virus should it become a long-term issue.

(c) AREAS AFFECTED BY THE ZIKA VIRUS DEFINED.—In this section, the term ''areas affected by the Zika virus'' means areas under a level 2 or level 3 travel advisory notice issued by the Centers for Disease Control and Prevention related to the Zika virus.

SA 4538. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) 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 862.

SA 4539. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) 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 B of title VIII of division A, insert the following:

SEC. 829K. PROHIBITION ON CONTRACTING WITH EMPLOYERS THAT ENGAGE IN WAGE THEFT BY STEALING EMPLOYEES' WAGES.

(a) IN GENERAL.—Notwithstanding section 829H, the Secretary of Defense may not enter into any contract described in subsection (b) with any person or business that the Labor Compliance Advisor of the Department of Defense determines to have owed, during the 3-year period preceding the request for proposals for the contract, employees, or individuals who are former employees, a cumulative amount of more than $100,000 in unpaid wages and associated damages resulting from violations of the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) as determined by the Secretary of Labor or a court of competent jurisdiction.

(b) APPLICABLE CONTRACT.—A contract described in this subsection is any procurement contract for goods and services, including construction, in which the estimated value of the supplies acquired and services required exceeds $500,000.

SA 4540. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) 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 B of title VIII of division A, insert the following:

SEC. 829K. PROHIBITION ON CONTRACTING WITH DISCRIMINATORY CONTRACTORS.

(a) IN GENERAL.—Notwithstanding section 829H, the Secretary of Defense may not enter into any contract described in subsection (b) with any person or business that the Labor Compliance Advisor of the Department of Defense determines to have engaged, during the 3–year period preceding the request for proposals for the contract, in serious, repeated, willful, or pervasive discrimination (as defined under Executive Order 13673 (79 Fed. Reg. 45309; relating to Fair Pay and Safe Workplaces)) on the basis of sex in the payment of wages in violation of section 6(d) of the Fair Labor Standards Act of 1938 (commonly known as the ''Equal Pay Act of 1963'') (29 U.S.C. 206(d)) or of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.).

(b) APPLICABLE CONTRACT.—A contract described in this subsection is any procurement contract for goods and services, including construction, in which the estimated value of the supplies acquired and services required exceeds $500,000.

SA 4541. Ms. HIRONO 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 E of title V, add the following:

SEC. 565. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE DEMOGRAPHIC COMPOSITION OF THE SERVICE ACADEMIES.

(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 to the Committees on Armed Services of the Senate and the House of Representatives a report on the demographic composition of the service academies.

(b) ELEMENTS.—The report required by subsection (a) shall include, for each service academy, the following:

(1) The gender and ethnic group (in this subsection referred as the ''demographic composition'') of the recruits in the four most recent matriculating classes.

(2) The demographic composition of the nominees in the four most recent matriculating classes.

(3) The demographic composition of the applicants in the four most recent matriculating classes.

(4) The demographic composition of the four most recent graduating classes.

(5) The number, demographic composition, and current grades of graduates on active duty of each graduating class that graduated 10 years, 20 years, and 25 years before the current graduating class.

(c) SERVICE ACADEMIES DEFINED.—In this section, the term ''services academies'' means the following:

(1) The United States Military Academy.
(2) The Naval Academy.
(3) The Air Force Academy.
(4) The Coast Guard Academy.
(5) The Merchant Marine Academy.

SA 4542. Ms. HIRONO 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. WATER RESOURCE AGREEMENTS WITH FOREIGN ALLIES AND ORGANIZATIONS IN SUPPORT OF CONTINGENCY OPERATIONS.

The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to enter into agreements with the governments of allied countries and organizations described in section 2350(a)(2) of title 10, United States Code, to develop land-based water resources in support of and in preparation for contingency operations, including water efficiency, reuse, selection, pumping, purification, storage, research and development, distribution, cooling, consumption, water source intelligence, training, acquisition of water support equipment, and water support operations.

SA 4543. Ms. HIRONO 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. NATIONAL LANGUAGE SERVICE CORPS.

Section 813(a)(1) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1913(a)(1)) is amended by striking ''may'' and inserting ''shall''.

SA 4544. 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 end of subtitle C of title V, add the following:

SEC. 538. ACCOMMODATIONS FOR THE WEARING OF ARTICLES OF FAITH ALONG WITH THE UNIFORM FOR MEMBERS OF THE ARMED FORCES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, in order to increase the efficiency of the process by which the Armed Forces address religious accommodation requests, the Department of Defense should—

(1) expeditiously and clearly define and publish a list of religious apparel considered ''neat and conservative'' for purposes of section 774 of title 10, United States Code, which list should include uniform standards for articles of faith such as those worn by observant Sikhs, orthodox Jews, and Muslims;

(2) modify the process for addressing religious accommodation requests in order to provide that decisions on such requests of current members of the Armed Forces are issued not later than 30 calendar days after the filing of the requests;

(3) for individuals accessing into the Armed Forces, provide that decisions on religious accommodation requests are made not later than the earlier of—

(A) 30 calendar days after of the filing of the requests; or

(B) the date on which such individuals access into the Armed Forces;

(4) provide that—

(A) any approval of a religious accommodation request of a member applies to the member throughout the member's service in the Armed Forces; and

(B) a new religious accommodation request be required of a member only if there is a significant change in the member's duties that raises issues of health and welfare;

(5) provide that members not be required to violate their religious beliefs while a religious accommodation request is pending in a manner such that—

(A) while a request is pending, the member concerned be permitted to wear articles of faith consistent with the member's beliefs; and

(B) individuals accessing into the Armed Forces be permitted to observe religious requirements, including requirements for religious apparel, grooming, and appearance, during the pendency of their requests;

(6) provide that religious accommodation requests be approved at the lowest level possible of command and, as appropriate, forwarded to the Secretary of the military department; and

(7) not require any unnecessary testing in connection with resolving religious accommodation requests.

(b) ANNUAL REPORTS ON RELIGIOUS ACCOMMODATION PROCESSES OF THE ARMED FORCES.—Not later than one year after the date of the enactment of this Act, and annually thereafter for the next seven years, the

Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the following:

(1) A description of the current process of each Armed Force for addressing religious accommodation requests.

(2) The number of religious accommodation requests submitted to each Armed Force during the one-year period ending on the date of such report.

(3) The average processing time of each Armed Force for religious accommodation requests during such period.

(4) A comparison of the number and nature of religious accommodation requests approved during such period with the number and description of grooming standard exemptions approved during such period, set forth by Armed Force.

(5) A description of the impact, if any, on members of the need for renewed religious accommodation requests in connection with promotion, new duties, or transition through commands during such period, set forth by Armed Force.

(c) RELIGIOUS ACCOMMODATION REQUEST DEFINED.—In this section, the term ''religious accommodation request'' means the request of a member of the Armed Forces to wear articles of faith consistent with the member's beliefs along with the uniform.

SA 4545. Mr. VITTER 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 SUPPLIES OF HEAVY WATER FOR SCIENTIFIC AND COMMERCIAL RESEARCH.

Not later than 60 days after the date of enactment of this Act, the Secretary of Energy shall submit to the appropriate committees of Congress a report that addresses the options available to the Federal Government for meeting domestic requirements for supplies of heavy water for scientific and commercial research.

SA 4546. Mr. VITTER 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 FUNDING FOR UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE.

None of the funds authorized to be appropriated by this Act or any other Act may be obligated or expended for the United Nations Framework Convention on Climate Change, or subsidiary entities including the Green Climate Fund, as long as Palestine is recognized as a party to the Convention, as required by—

(1) section 410 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 22 U.S.C. 287e note); and

(2) section 414 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101–246; 22 U.S.C. 287e note).

SA 4547. Mr. BROWN 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. PROHIBITION ON DISCRIMINATION AGAINST CERTAIN SERVICEMEMBERS WITH RESPECT TO CREDIT TRANSACTIONS.

(a) IN GENERAL.—Title II of the Servicemembers Civil Relief Act (50 U.S.C. 3931 et seq.) is amended by adding at the end the following:

''SEC. 209. PROHIBITION ON DISCRIMINATION IN CREDIT TRANSACTIONS.

''(a) PROHIBITION.—It shall be unlawful for any creditor to discriminate against a covered servicemember with respect to any aspect of a credit transaction because of the status of the covered servicemember as a covered servicemember.

''(b) ENFORCEMENT.—In addition to the enforcement authority under title VIII, the Bureau of Consumer Financial Protection shall be authorized to enforce the requirements of this section.

''(c) DEFINITIONS.—In this section:

''(1) The term 'covered servicemember' means a service member as follows:

''(A) A servicemember on active duty, as defined in section 101(d)(1) of title 10, United States Code.

''(B) A servicemember on active duty for a period of more than 30 days, as defined in section 101(d)(2) of title 10, United States Code.

''(C) A servicemember on active Guard and Reserve duty, as defined in section 101(d)(6) of title 10, United States Code.

''(2) The term 'creditor' has the meaning given that term in section 702 of the Equal Credit Opportunity Act (15 U.S.C. 1691a).''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.) is amended by inserting after the item relating to section 208 the following new item:

''Sec. 209. Prohibition on discrimination in credit transactions.''.

SA 4548. Mr. BROWN (for himself, Mr. BLUNT, Mrs. MCCASKILL, and Mr. PORTMAN) 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 title XXXV, add the following:

SEC. 3503. FIRE-RETARDANT MATERIALS EXEMPTION.

Section 3503 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''2008, this section does not'' and inserting ''2028, this subsection shall not''; and

(2) in subsection (b)(1)—

(A) in the matter preceding subparagraph (A), by striking ''of this section'' and inserting ''under subsection (a)'';

(B) in subparagraph (A), by inserting ''and crew'' after ''prospective passengers'';

(C) in subparagraph (B), by inserting ''or crew member'' after ''passenger'';

(D) in subparagraph (C), by striking ''and'' at the end; and

(E) by striking subparagraph (D) and inserting the following:

''(D) the owner or managing operator of the vessel shall—

''(i) make annual structural alterations to at least 10 percent of the areas of the vessel that are not constructed of fire-retardant materials;

''(ii) provide advance notice to the Coast Guard regarding the alterations made pursuant to clause (i); and

''(iii) comply with any noncombustible material requirements prescribed by the Coast Guard; and

''(E) the requirements referred to in subparagraph (D)(iii) shall be consistent, to the extent practicable, with the preservation of the historic integrity of the vessel in areas carrying or accessible to passengers or generally visible to the public.''.

SA 4549. Mr. REED (for himself and Ms. MIKULSKI) proposed an amendment to amendment SA 4229 proposed by Mr. MCCAIN 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; as follows:

At the end, add the following:

SEC. 1513. OTHER OVERSEAS CONTINGENCY OPERATIONS MATTERS.

(a) ADJUSTMENTS.—Section 101(d) of the Bipartisan Budget Act of 2015 (Public Law 114–74; 129 Stat. 587) is amended—

(1) by striking paragraph (2)(B) and inserting the following:

''(B) for fiscal year 2017, $76,798,000,000.''; and

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

''(3) For purposes authorized by section 1513(b) of the National Defense Authorization Act of 2017, $18,000,000,000.''.

(b) ADDITIONAL PURPOSES.—In addition to amounts already authorized to be appropriated or made available under an appropriation Act making appropriations for fiscal year 2017, there are authorized to be appropriated for fiscal year 2017—

(1) $2,000,000,000 to address cybersecurity vulnerabilities, which shall be allocated by the Director of the Office of Management and Budget among nondefense agencies;

(2) $1,100,000,000 to address the heroin and opioid crisis, including funding for law enforcement, treatment, and prevention;

(3) $1,900,000,000 for budget function 150 to implement the integrated campaign plan to counter the Islamic State of Iraq and the Levant, for assistance under the Food for Peace Act (7 U.S.C. 1721 et seq.), for assistance for Israel, Jordan, and Lebanon, and for embassy security;

(4) $1,400,000,000 for security and law enforcement needs, including funding for—

(A) the Department of Homeland Security—

(i) for the Transportation Security Administration to reduce wait times and improve security;

(ii) to hire 2,000 new Customs and Border Protection Officers; and

(iii) for the Coast Guard;

(B) law enforcement at the Department of Justice, such as the Federal Bureau of Investigation and hiring under the Community Oriented Policing Services program; and

(C) the Federal Emergency Management Agency for grants to State and local first responders;

(5) $3,200,000,000 to meet the infrastructure needs of the United States, including—

(A) funding for the transportation investment generating economic recovery grant program carried out by the Secretary of Transportation (commonly known as ''TIGER grants''); and

(B) funding to address maintenance, construction, and security-related backlogs for—

(i) medical facilities and minor construction projects of the Department of Veterans Affairs;

(ii) the Federal Aviation Administration;

(iii) rail and transit systems;

(iv) the National Park System; and

(v) the HOME Investment Partnerships Program authorized under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.);

(6) $1,900,000,000 for water infrastructure, including grants and loans for rural water systems, State revolving funds, and funds to mitigate lead contamination, including a grant to Flint, Michigan;

(7) $3,498,000,000 for science and technology, including—

(A) $2,000,000,000 for the National Institutes of Health; and

(B) $1,498,000,000 for the National Science Foundation, the National Aeronautics and Space Administration, the Department of Energy research, including ARPA-E, and Department of Agriculture research;

(8) $1,900,000,000 for Zika prevention and treatment;

(9) $202,000,000 for wildland fire suppression; and

(10) $900,000,000 to fully implement the FDA Food Safety Modernization Act (Public Law 111–353; 124 Stat. 3885) and protect food safety, the Every Student Succeeds Act (Public Law 114–95; 129 Stat. 1802), the Individuals with Disabilities Education Act (20 U.S.C. 1400), the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), and for college affordability.

SA 4550. Mr. GRAHAM 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 575, after line 25, add the following:

(c) INAPPLICABILITY TO BERRY AMENDMENT.—Section 2533a(i) of title 10, United States Code, is amended by inserting ''and section 2375 of this title'' after ''title 41''.

SA 4551. Mr. ROUNDS 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 VII, add the following:

SEC. 709. EXCEPTION TO INCREASE IN COST-SHARING REQUIREMENTS FOR TRICARE PHARMACY BENEFITS PROGRAM FOR BENEFICIARIES WHO LIVE MORE THAN 40 MILES FROM A MILITARY TREATMENT FACILITY.

(a) IN GENERAL.—Notwithstanding paragraph (6) of section 1074g(a) of title 10, United States Code, as amended by section 702(a), the Secretary of Defense may not increase after the date of the enactment of this Act any cost-sharing amounts under such paragraph with respect to covered beneficiaries described in subsection (b).

(b) COVERED BENEFICIARIES DESCRIBED.—Covered beneficiaries described in this subsection are eligible covered beneficiaries (as defined in section 1074g(g) of title 10, United States Code) who live more than 40 miles driving distance from the closest military treatment facility to the residence of the beneficiary.

(c) REPORT ON EFFECT OF INCREASE.—

(1) IN GENERAL.—Not later than 60 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 potential effect, without regard to subsection (a), of the increase in cost-sharing amounts under section 1074g(a)(6) of title 10, United States Code, on covered beneficiaries described in subsection (b).

(2) ELEMENTS.—The report required by paragraph (1) shall include an assessment of how much additional costs would be required of covered beneficiaries described in subsection (b) per year as a result of increases in cost-sharing amounts described in such paragraph, including the average amount per individual and the aggregate amount.

SA 4552. 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 MILITARY TO DETECT AND MONITOR ILLEGAL DRUG TRAFFICKING.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Commander of the United States Southern Command and the Commander of the United States Northern Command, submit to the congressional defense committees a report setting forth the following:

(1) An assessment of the effectiveness of the efforts of the United States military to detect and monitor the aerial and maritime transit of illegal drugs into the United States.

(2) An identification of gaps in capabilities that may hinder the efforts of the United States military to detect and monitor the aerial and maritime transit of illegal drugs into the United States, and a description of any plans to address and mitigate such gaps.

(3) A description of any trends in the aerial and maritime transit of illegal drugs into the United States, include trafficking routes, methods of transportation, and types and quantities of illegal drugs being trafficked.

(4) An identification of opportunities and challenges relating to enabling or building the capacity of partner countries in the region to detect, monitor, and interdict trafficking in illegal drugs.

(5) Such other matters relating to the efforts of the United States military to detect and monitor illegal drug trafficking as the Secretary considers appropriate.

SA 4553. Mr. LEAHY (for himself, Mr. FLAKE, Mr. CARDIN, and Mr. DURBIN) 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 title XII, add the following:

SEC. 1277. SAVINGS PROVISION RELATING TO STATIONING PERSONNEL AT UNITED STATES EMBASSIES.

Nothing in this title may be construed to prohibit or restrict the Secretary of Defense, the Secretary of State, or the head of any other United States Government department or agency from stationing personnel at any United States embassy for the purpose of carrying out their official duties.

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 June 7, 2016, at 10 a.m., to conduct a hearing entitled ''Bank Capital and Liquidity Regulation.''

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 June 7, 2016, at 2:30 p.m., to conduct a hearing entitled ''Russian Violations of Borders, Treaties, and Human Rights.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 7, 2016, at 10 a.m., to conduct a hearing entitled ''Frustrated Travelers: Rethinking TSA Operations to Improve Passenger Screening and Address Threats to Aviation.''

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

COMMITTEE ON THE JUDICIARY

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 7, 2016, at 10 a.m., in room