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 4528. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4531. 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 4540. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKY) 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. 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 4544. 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. BROWN (for himself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKY) 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 4549. Mr. REED (for himself and Ms. MIKULSKY) proposed an amendment to amend—

SA 4550. 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:

At the end of subtitle E 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 pursuant to an Act of Congress that expressly authorizes such imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States. Paragraph (1) authorizes 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 or 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 X, add the following:

SEC. 341. AUTHORITY FOR AGREEMENTS TO REIMBURSE STATES FOR COSTS OF SUPPRESSING WILDFIRES ON STATE LANDS CAUSED BY DEPARTMENT OF DEFENSE UNDERSURFACE LEASES AND OTHER GRANTS OF ACCESS TO STATE LANDS.

Section 6091 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 wildfire 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) 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 piracy, and activity 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.

(b) IMPLEMENTATION OF POLICY.—

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

(A) plan and execute a robust series of routine and regular freedom of navigation operations and exercises; and

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

(2) 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 routine and regular freedom of navigation operations and exercises; and

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

(d) ANNUAL REPORTS.—(1) In general.—Not later than January 31, 2017, submit to the congressional defense committees a report setting forth the results of the evaluation and assessment, including such recommendations for legisla
tive and administrative action with respect to the financial resources for the promotion of global commerce and trade.

(2) ANNUAL REPORT.—(A) A list of each freedom of navigation operation executed pursuant to subsection (c) during the preceding calendar year.

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

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

(ii) the location of the operation; and

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

SEC. 1245. Mr. HEGINFORD 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 1046, insert 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.

(b) 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.

SEC. 1047. SPECIAL EXPERIENCE INDICATOR FOR REMOTELY PILOTED AIRCRAFT.

(a) ESTABLISHMENT REQUIRED.—Not later than January 31, 2017, the Secretary of Defense shall order the Air Force to establish a Special Experience Indicator for remotely piloted aircraft.

(b) ORDER.—Not later than April 14, 2017, the Secretary of Defense shall order the Air Force to—

(1) establish a Special Experience Indicator for remotely piloted aircraft;

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

After section 1046, insert the following:

SEC. 1245A. 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.

SEC. 1245B. Mr. HEGINFORD 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 1046, insert the following:

SEC. 1046B. SPECIAL EXPERIENCE INDICATOR FOR REMOTELY PILOTED AIRCRAFT.

(a) ESTABLISHMENT REQUIRED.—Not later than February 1, 2017, the Secretary of the Air Force shall establish a Special Experience Indicator for remotely piloted aircraft that determines the following:

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

(2) 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.

(b) 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 legisla
tive and administrative action with respect to the financial resources for the promotion of global commerce and trade.

Mr. HEINFORD 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 1046, insert the following:

SEC. 1046C. SPECIAL EXPERIENCE INDICATOR FOR REMOTELY PILOTED AIRCRAFT.

(a) ESTABLISHMENT REQUIRED.—Not later than February 1, 2017, the Secretary of the Air Force shall establish a Special Experience Indicator for remotely piloted aircraft that determines the following:

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

(2) 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.

(b) 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 legisla
tive and administrative action with respect to the financial resources for the promotion of global commerce and trade.
SEC. 1121. 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 in 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 subsection (c) of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of such title.

(1) LIMITATION ON NUMBER.—

(A) IN GENERAL.—Authorization 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.

(B) 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 defense activities of the Department of Energy, for defense activities of the Department of Homeland Security, 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;

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

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

SA 4456. Mr. MEEKLEY 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 SEPARATING 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.

(c) RESOLUTION OF BARRIERS TO EMPLOYMENT OF VETERANS AFFAIRS.

(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 or 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 335.165 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) PROGRAM.—

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

§ 7423A. Personnel administration: uniform credentialing process.

(1) UNIFORM PROCESS.—The Secretary shall implement a uniform credentialing process for other relevant health care professionals for each position specified in section 7421(b) of this title.

(D) RECOGNITION THROUGHOUT ADMINISTRATION.—Each employee shall be considered for employment in a position specified in section 7421(b) of this title is credited 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) règle.—(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.

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


(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) for a 35-year period following the date of the report to implement planned programs to modernize and sustain all elements of the nuclear security enterprise, including life cycles of modernization programs planned and 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.’’.

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

(a) RELEASE OF RESTRICTIONS.—Subject to subsection (b), the United States, acting through the Secretary of Transportation, shall release the City of St. Marys, Georgia, from all restrictions, conditions, and limitations on the use, transfer, and use of the Federal Aviation Administration, shall release the City of St. Marys, Georgia, from all restrictions, conditions, and limitations on the use, transfer, and use 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 occur:

(1) The Secretary 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 subsection, 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 development of the current St. Marys airport property;

(B) any potential new regional airport in Georgia shall not be connected with the release noted in subsection (a) or 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 47 U.S.C. 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 and 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 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 revenue remaining in the airport account for the St. Marys Airport as of the date of the enactment of this Act.

SEC. 1097A. TRAIL BASE FOR TACTICAL MISSILES.

(a) IN GENERAL.—Not later than March 31, 2014, the Secretary, in consultation with the Under Secretary of Defense for Acquisition, Technology and Logistics, and the military departments, 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 analysis furnished in 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, 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-bought 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:

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) In General.—The Secretary of Defense may grant access to Department of Defense installations of the purpose of providing at the installation concerned timely face-to-face student advising and related support services to members of the armed forces who are enrolled as of the date of the advisement or have elected to participate in the higher education track of the Transition Assistance Program but shall not occur during the Transition Assistance Program.

“(b) Regulations.—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 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.

“(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 2006c(c)(1) of this title.

“(2) The term ‘institutions of higher education’ has the meaning given that term in section 2006c(a)(2) of this title.

“(3) The term ‘Voluntary Education Partnership Memorandum of Understanding’ has the meaning given that term in Department of Defense Instruction 1100.25, entitled ‘Voluntary Education Program’, or any successor Department of Defense Instruction.”.

(b) Clerical Amendment.—The table of sections at the beginning of chapter 101 of title 10, United States Code, is amended by inserting after the item relating to section 2012 the following new item:

“2012a. Access to Department of Defense installations of 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:

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; and

(B) the Committee on Appropriations of the Senate.

“(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 terrorist 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; and

“(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 (a), 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, tribal, and local law enforcement entities relating to border security;
(5) the terrain, population density, and climate; and
(6) the needs and challenges of Department of Homeland Security facilities, including the physical approaches to such facilities.

SEC. 128. TESTING AND INTEGRATION OF MINEHUNTING 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 (SASs) in use by navies of allied nations.

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

(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 sensors; and

(B) complete an assessment of all minehunting sonar technologies that can meet the mine countermeasures mission package.

(c) Submission to the congressional defense committees.—The Secretary of the Navy shall submit to the congressional defense committees a report that contains the findings of the at-sea testing and experimentation, the assessment of all minehunting sonar technologies found suitable for performing the Littoral Combat Ship minehunting mission.

SEC. 1027. UNCLASSIFIED NOTICE AND MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED STATES AND OUR 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 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.

(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 country, the Secretary of Defense shall, in consultation with the Secretary of State, inform the appropriate committees of Congress an unclassified notice that includes—

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

(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 of the tentative assessment 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 1104(b) of the National Defense Authorization Act for FY 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, on the other hand, have entered into a 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) including 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) END 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 appropriate appropriations for fiscal year 2017 for military personnel 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.”
(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:
“(28)(A) To conduct an intelligence-based review and comparison of the risk and consequences 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, in the recommended strategy a broader recommendation developed by the Department to help protect and prepare critical infrastructure from terrorism, cyber attacks, and other 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 of chapter 5—
“SEC. 319. GMD AND EMP MITIGATION RESEARCH AND DEVELOPMENT.
(a) IN GENERAL.—In furtherance of domestic preparedness programs, 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 revised and expanded 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 to subsecond 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 millisecond seconds 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 527 the following:
“Sec. 526. Integrated Public Alert and Warning System modernization.”;
(a) **Publication of Information.** Not later than 180 days after the date of 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 an update of the 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 the availability of care.

(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.

(D) **Opioid Abuse by Veterans.**—Each publication required by subsection (a) shall include, for the 180-day period preceding such publication, the following information:

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

(2) 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.

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

(D) **Of the veterans described in subparagraph (A), each of which is treated for opioid abuse in conjunction with posttraumatic 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, recommendation by a physician or family member.

(c) **Personal Information.**—The Secretary shall ensure that personal information contained in 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 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 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. STATUTORY RIGHTS OF THE EMPLOYEE.**—Section 1214(b)(1) of title 5, United States Code, is amended by adding at the end the following:

‘‘(E) If the Merit Systems Protection 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.’’

**SECTION 6103. BUREAUS TO PREPARE REPORTS.**—Section 1214(b) of title 5, United States Code, is amended by adding at the end the following:

‘‘(A) If the Merit Systems Protection 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.’’

**SECTION 6104. REFORM OF THE COMMISSIONER FOR PROBATIONARY EMPLOYEES.**—Section 1209 of title 5, United States Code, is amended by adding at the end the following:

‘‘(A) If the Merit Systems Protection 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.’’

**SECTION 6105. 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 Governmental Reform of the House of Representatives a report discussing retaliation against employees in probationary status.
SEC. 6101. 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:

"(3) By inserting at the end the following: "§ 7515. Discipline of supervisors based on re-

by adding at the end the following:

75 of title 5, United States Code, is amended
personnel action, removal.
not less than a 12-day suspension.
sonnel action the following adverse actions:
determines committed a prohibited per-
graph (2), the head of an agency shall pro-
pose against a supervisor whom the head of

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:

"(4) Access the medical record of another employee for the purpose of retaliation for a disclosure or activity protected under para-

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 re-
taliation against whistleblowers

"(a) DEFINITIONS.—In this section—

"(1) 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 supervi-

"(b) PROPOSED ADVERSE ACTIONS.

"(1) ACCORDANCE WITH PARAGRAPHS (2), (3), (12), and (13), the head of an agency shall pro-

SEC. 6106. TRAINING FOR SUPERVISORS.

In consultation with the Office of Special Counsel and 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 per-

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), re-

(E) by redesignating subsections (d), (e), and (f) as subsections (c), (d), and (e), re-

(F) Section 2322(c) of the Panama Canal Act of 1979 (22 U.S.C. 3763(b)) is amended by striking "section 2322(c)" and inserting "section 2302(c)");

(G) Section 704 of the Homeland Security Act of 2002 (44 U.S.C. 3544) is amended by striking "section 2302(c)" and inserting "section 2302(c)".

(H) 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 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 infor-

"(c) INFORMATION ONLINE.—The head of each agency shall ensure that the information required to inform employees of their rights and remedies is made available to employees 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.

"(d) DELEGATION.—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) 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 LXI—DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES

SEC. 6201. DEVELOPMENT 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 the 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) Plans 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 any 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 ‘appropriates 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 MEDICAL HEALTH SERVICES AVAILABLE TO MEMBERS OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs shall conduct an outreach program to inform those 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.

SEC. 6205. AUTHORITY TO PROVIDE ASSISTANCE TO MEDICAL FACILITIES.

(a) PURPOSE.—The purpose of this section is to authorize assistance 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 aspiring 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) 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 AGREEMENT.—The Secretary of Defense, with the concurrence of the Senate, shall negotiate a cost-sharing agreement with a recipient country regarding the cost of any training provided pursuant to section (b).

(f) NOTICE TO CONGRESS.—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 source of funds to support sustainment efforts and performance outcomes to be achieved under the program beyond its completion date, if applicable.

(4) 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.

(5) Other matters as the Secretary considers appropriate.

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

(c) 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;

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

(3) Availability.—In each fiscal year, the amounts appropriated under this section may not be provided under this section after September 30, 2020.

SEC. 1097. REPORT ON MILITARY TRAINING 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—

(1) a description of 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 4471. Mr. PETERS (for himself and Mr. 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. SENSE OF CONGRESS REGARDING REIMBURSEMENT OF LOCAL LAW ENFORCEMENT AGENCIES.

It is the sense of Congress—

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

(2) in response to requests 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. 15101 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—

(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.

SEC. 1097. REPORT ON MILITARY TRAINING 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—

SEC. 1098. 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’), to be used to pay costs of audits for 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).

(b) Transfers to Fund.—Amounts in the Fund shall be made available to organizations, components, and elements of the Department for the programs and activities described in paragraph (1) in connection with agreements made with organizations, components, and elements of the Department.

(c) Transfers from Fund.—Amounts in the Fund may be transferred to any other account of the Department for the programs and activities described in paragraph (1) in connection with agreements made with organizations, components, and elements of the Department.

(d) Terminations.—Assistance and training that may not be provided under this section after September 30, 2020.

SEC. 1094. 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 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);"

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

(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) documenting the effectiveness of efforts by each country identified pursuant to paragraph (1) to counter the movement of precursor materials for improvised explosive devices;"

"(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.""

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 proposes 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 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's compliance with the Open Skies Treaty "[under the Open Skies Treaty] to allow effective observation of its entire territory, raising serious compliance concerns".

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

(4) According to the 2016 Compliance Report, ongoing efforts by the United States and other States Party to the Open Skies Treaty address these serious 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 or more States 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 with the Open Skies Treaty 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 the United States remain 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 by the Russian Federation, and

(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 remains in compliance with the Open Skies Treaty.

(c) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter together with the Annual National Intelligence Report and the Russia Report, 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 activities carried out in coordination with Open Skies Treaty overflights, and other intelligence concerns as defined by the Director of National Intelligence.

(3) A description of all compliance dialogue, diplomatic, steps, and other international efforts between the United States and the Russian Federation with regard to concerns about actual or potential Russian non-compliance 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 actual or potential Russian non-compliance.

(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) 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) the value of information collected by the 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.

An assessment of the intelligence value of Open Skies information to States Party to the Open Skies Treaty, other than the
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 536 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1813; 10 U.S.C. 2352) in 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. 1087. 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) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(6)(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. 1087. MODIFICATION OF EXCEPTION TO PROHIBITION ON FINANCING OF SALES OF DEFENSE ARTICLES AND DEFENSE SERVICES BY EXPORT-IMPORT BANK OF THE UNITED STATES.

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“(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”.

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. 1087. MODIFICATION OF EXCEPTION TO PROHIBITION ON FINANCING OF SALES OF DEFENSE ARTICLES AND DEFENSE SERVICES BY EXPORT-IMPORT BANK OF THE UNITED STATES.

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“(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. 1087. 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) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(6)(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. 1087. 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) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(6)(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. 1087. 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) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(6)(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”.
“(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. 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) A PPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Permanent 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.—The term “covered state” 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 in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

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


(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 the President 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 from it, from being used in any way not permitted by the Open Skies Treaty;

(B) the Secretary of Defense, the commanders of relevant joint 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 the Open Skies Treaty.

(d) WAIVER AUTHORITY.—

(1) IN GENERAL.—The President may waive the requirements of subparagraph (D) of subsection (c) if 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.

(2) WAIVER.—The President may approve the certification or approval described in paragraph (1) and the President shall notify Congress of such approval.

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

(4) STRATEGY.—The President shall include in 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 include in the budget submitted by the President under section 1105 of title 31, United States Code, with respect to biodefense activities.

(6) ADMINISTRATOR.—The Administrator of the Environmental Protection Agency shall, 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.
response and recovery to major biological inci-
dents.

(3) COORDINATION.—In developing the Strategy, the President may utilize—
(A) the Secretary of Commerce;
(B) the National Science Foundation; and
(C) any other Federal department, agency, or interagency body the President deter-
mines appropriate, including the Public Health Emergency Medical Countermeasures
Enterprise.

(3) OTHER ENTITIES.—The President may receive input on elements of the Strategy from relevant biodefense entities and State, local, tribal, and territorial govern-
ments.

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

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

(6) CONTENTS.—(1) REQUIREMENTS.—The Strategy shall include, at a minimum—
(A) a comprehensive description of the entities and positions of leadership with re-
sponsibility, authority, and accountability for implementing, overseeing, and coordi-
nating Federal biodefense activities desc-
cribed in subsection (b)(5), including a de-
scription of how such entities coordinate on each aspect of biodefense;
(B) year goals, priorities, and metrics to improve the ability of the Federal Govern-
ment to prevent, detect, respond to, and recover from a major biological incident;
(C) short- and long-term research and de-
velopment projects or initiatives planned to improve biodefense capability; and
(D) recommendations for legislative ac-
tion needed to expedite progress 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 de-
termines appropriate.

(3) THE FIVE-YEAR STRATEGY.—The five-year Strategy shall include an appendix, which shall contain—
(A) a review of current and previous col-
laborative efforts between the Armed Forces and the civilian sector of the Federal Gov-
ernment on biodefense activities and coordi-
nation;
(B) a detailed analysis of the—
(i) Technology products issued by external biodefense review panels or commis-
sions, and the extent to which the re-
commendations have been considered and im-
plemented by Federal departments and agen-
cies;
(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 biologi-
cal 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 emerg-
ing 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 be-
fore the date of enactment of this section;
((v) the use of Federal resources to address risks posed by emerging biological threats; and
(vi) meeting the needs of vulnerable pop-
ulations during planning and recovery from a public health emergency;
and
(C) prioritization and allocation of invest-
ment across the Federal biodefense enter-
prise.

(d) DEADLINE.—Not later than 24 months af-
after the date on which the Strategy is sub-
mitted to Congress under section 526, the President shall submit to the President 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).

(e) CONTENTS.—(1) IN GENERAL.—Not later than 3 years af-
after the date on which the Strategy is sub-
mitted to Congress under section 526, the President shall submit to the appropriate congres-
sional 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 sub-
mitted under paragraph (1) shall provide his-
torical 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.

(f) REPORT.—(1) ANNUAL BIODIVFENSE EXPENDITURES RE-
PORT.—
(A) the coordination of the assignment of technical Internet protocol parameters;
(B) the administration of the 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 manage-
ment of the Advanced Research Project Agency and INT top-level domains.

(g) STATUS UPDATES.—Not later than 180 days af-
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 President shall submit to the 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).

(i) FIVE-YEAR UPDATE.—Beginning 5 years af-
after the date on which the Strategy is sub-
mitted to Congress under section 526, the President shall submit to the appropriate congres-
sional 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).

(j) ANNUAL BIODIVFENSE EXPENDITURES RE-
PORT.—

(k) ANNUAL REPORT.—Not later than 120 days af-
after the date on which the Strategy is sub-
mitted to Congress under section 526, the President shall submit to the appropriate congres-
sional 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).

(l) REPORT.—(1) ANNUAL BIODIVFENSE EXPENDITURES RE-
PORT.—

(m) REPORT.—(1) ANNUAL BIODIVFENSE EXPENDITURES RE-
PORT.—

(n) REPORT.—(1) ANNUAL BIODIVFENSE EXPENDITURES RE-
PORT.—
the domain name system that the Internet Corporation for Assigned Names and Numbers represents;
(B) the Internet Engineering Task Force and the Architecture Board;
(C) Regional Internet Registries;
(D) top-level domain operators and managers, such as country codes and generic;
(E) enterprises;
(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) In a letter to Bill Clinton’s 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 "delineate 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 shall provide to Congress a written certification that the United States should have the exclusive control and use of those domains in perpetuity.
(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 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.
(d) EXCLUSIVE CONTROL OF .GOV AND .MIL DOMAINS.—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.
(e) 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 source, 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:
(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 regarding the change.
(2) Household.—The term ‘household’ means any individual or group of individuals who are living together as an economic unit.
(3) Low-income householder.—The term ‘low-income householder’ 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 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—
(D) section 1315, 1521, 1541, or 1542 of title 38, United States Code; or
(E) section 306 of the Veterans’ and Survivors’ Pension Improvement Act of 1978 (38 U.S.C. 1521 note; Public Law 95–588);
(4) the income determined by the State in which that household is located to exceed the greater of—
(i) an amount equal to 150 percent of the poverty level for that State; or
(ii) an amount equal to 80 percent of the median income for that State.
(5) Public water system.—The term ‘public water system’ has the meaning given the term in section 1402 of the Safe Drinking Water Act (42 U.S.C. 300f).
(6) Sanitation services.—The term ‘sanitation services’ has the meaning given the term in section 1402 of the Safe Drinking Water Act (42 U.S.C. 300f).
(7) NON-FEDERAL PARTICIPATION.—Notwithstanding any other provision of law, with respect to any sinkhole or event of emergency or disaster that has occurred in the United States, the Secretary will bring the water source into compliance with the standards specified in this subpart.
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:
SEC. 1097. LOW-INCOME SEWER AND WATER ASSISTANCE PILOT PROGRAM.
"(a) DEFINITIONS.—In this section:
**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. 1067. 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 401 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.
4. 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 $290,000,000, with the amount of increase to be available for research, development, test, and evaluation, Defense-wide, as specified in the funding table section 401 and available for research, development, test, and evaluation for the following:

   1. David’s Sling Weapon System, $15,300,000.
   2. Arrow 3 Upper Tier, $4,100,000.
   3. Base Arrow, $6,500,000.

(b) 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 items in this Act.

(c) OFFSET.—Amounts for the aggregate of the increases authorized by this section are offset by the following:

   1. From a reduction of $219,900,000 in the amount of savings otherwise available for fiscal year 2017 for military construction with bulk fuel as specified in the funding table in section 401.
   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 402.

**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 2023 of title 41, 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.

(2) VERSUS GUARANTEES.—The conditions of an utility energy service contract entered into under this subsection shall include requirements for measurement, verification, assurance, and 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. 3590. 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) 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.

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

(d) APPLICABILITY.—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 LIABILITIES FOR 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 EXEMPTED 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 61.230(c)(1) of title 14, Code of Federal Regulations, that authorizes a person who holds the privileges of a sport pilot certificate without holding a medical certificate, on public safety since 2004.
abduction, enslavement, torture, rape, and forced marriage.

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

(8) The United States is working with regional and global allies and partners to degrade and destroy ISIL, to cut off its funds, 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 with 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 ineffective 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 misguided approach.

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 1283.

(b) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution (50 U.S.C. 1547a(a)(1)), Congress declares that this section is intended to constitute a 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) 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, 50 U.S.C. 1541 et seq.).

(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 by 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 authority 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 the President is not required to submit or report 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 the 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) that is introduced by any member of the Senate or the House of Representatives after November 20, 2017.

(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, and in the House of Representatives by the majority leader of 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) 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 the respective House to move to proceed to the consideration of the qualifying legislation, and all points of order on the motion to proceed thereon will be waived. 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 after which the Senate is in session after such referral, that committee shall be discharged from further consideration thereof and the legislation shall be placed on the appropriate calendar.

(C) FLOOR CONSIDERATION.—When the Committee on Foreign Relations has reported, or has been deemed to be 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.

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 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 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 the defense of the United States, the defense of the coalition of the willing, or the defense of the governments of Member States of the United Nations.

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


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.
A comprehensive strategy of the United States, support international partners in their fight and transnational terrorist organizations that the President has determined threaten.

**TEES AND LEADERSHIP DEFINED.**—In this sub-

section, the term “appropriate congressional committees and leadership” means—

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

(B) the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, the Speaker, Majority Leader, and Minority Leader of the House.

(2) IMPLEMENTATION OF STRATEGY.—

(A) IN GENERAL.—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 (ISIL), and transnational terrorist organizations that the President has determined threaten the national security of the United States and to support international partners in their fight to defeat such organizations.

(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;

(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 (1), including a description of any substantive change to the comprehensive strategy, including the reasons for the change and the change’s effect on the comprehensive strategy.

(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. 162; 116 Stat. 1498; 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:

**Subtitle J—Treatment of Employees of Department of Veterans Affairs and Protection of Whistleblowers**

**SEC. 1097. REMOVAL OR DEMOTION OF EMPLOYEES OF 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.—Chapter 7 of title 38, United States Code, is amended by adding at the end the following new section:

(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 violated a provision of law.

(G) The individual over prescribed medication.

(H) The individual contributed to the purposeful omission of the name of one or more veterans on the or had another individual over prescribed medication.

(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 paragraph (H) and knew, or reasonably should have known, that the employee contributed to such purposeful omission.

(J) Such other performance or misconduct of the Secretary determines is appropriate; or

(K) The individual so demoted does not report for duty, the Secretary may—

(1) remove the individual from the civil service (as defined in section 201 of title 5); or

(2) demote the individual by means of—

(i) a reduction in grade for which the individual is qualified and the Secretary determines is appropriate; or

(ii) a reduction in annual rate of pay that the Secretary determines is appropriate.

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:

**Subtitle J—Treatment of Employees of Department of Veterans Affairs and Protection of Whistleblowers**

**SEC. 1097. REMOVAL OR DEMOTION OF EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS BASED ON PERFORMANCE OR MISCONDUCT.**

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(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 violated a provision of law.

(G) The individual over prescribed medication.

(H) The individual contributed to the purposeful omission of the name of one or more veterans on the or had another individual over prescribed medication.

(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 paragraph (H) and knew, or reasonably should have known, that the employee contributed to such purposeful omission.

(J) Such other performance or misconduct of the Secretary determines is appropriate; or

(K) The individual so demoted does not report for duty, receives any pay, 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 subsection is referred, such information and assistance as may be necessary to ensure an appeal under this subsection is expedited.

(7) 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 or maintain employment 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); or

(B) a limited term appointee, limited emergency, or noncareer senior executive service appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3323(a) of title 5; or

(C) in 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.

(h) C LERICAL 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:

"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); and

(B) by striking the period at the end of paragraph (3) and inserting ‘‘;’’ and;

(3) In section 4303(d), by adding at the end after the period the following: “The preceeding sentence shall not apply to any individual covered by section 713(g) of this title.”

SEC. 1097B. OFFICE OF ACCOUNTABILITY AND WHISTLEBLOWER PROTECTION.

(a) IN GENERAL.—Chapter 3 of title 38, United States Code, is amended—

(1) by striking the following new section:

"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); and

(B) by striking the period at the end of paragraph (3) and inserting ‘‘;’’ and;

(4) In any case in which the Assistant Secretary receives a whistleblower disclosure from an employee or a report on the activities of the Office of Accountability and Whistleblower Protection under paragraph (1) of this section, the Assistant Secretary shall provide to the General Counsel of the Office of Accountability and Whistleblower Protection a copy of the report submitted under paragraph (1) of this section. The Assistant Secretary shall provide to the General Counsel a copy of any report submitted under paragraph (1) of this section that includes any information as the Assistant Secretary determines is relevant to the investigation carried out as described in subparagraph (F) or (H).

(b) 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.

(c) 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. Reports submitted under paragraph (A) of this section shall be submitted to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives on the activities of the Office during the calendar year in which the report is submitted.

(d) Each report submitted under subparagraph (A) shall include, for the period covered by the report, the following:

(1) A full and substantive analysis of the activities of the Office, including such statistical information as the Assistant Secretary considers appropriate.

(2) 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.

(11) 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 considers appropriate regarding the functions of the Office or other matters relating to the Office.

(12) The protection of whistleblowers within the Department.

(13) Such recommendations as the Assistant Secretary may have for legislative or administrative action to address such concerns.

(14) Such recommendations as the Assistant Secretary may have for legislative or administrative action to address such concerns.

(15) The process by which concerns are reported to the Office; and

(16) The protection of whistleblowers within the Department.

(17) 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)(A), 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 Homeland Security and Governmental Affairs of the Senate the following new section:

§ 717. Training regarding whistleblower disclosures

(a) Training.—Not less frequently than once every two years, the Secretary, in consultation with the Assistant Secretary for Accountability and Whistleblower Protection, shall develop criteria that—

(i) An assessment of the use of administrative action to improve—

(1) The methods described in paragraph (1) of this section; and

(2) The methods described in paragraph (2) of this section.

(ii) Recommendations for legislative or administrative action to implement safeguards to prevent the retaliation described in paragraph (1) of this section.

(iii) Identification of such concerns as the Assistant Secretary in consultation with the Assistant Secretary for Accountability and Whistleblower Protection certifies as being satisfactory.

(iv) An explanation of each method established by law in which an employee may file a whistleblower disclosure.

(v) The right of contractors to be protected from reprisal for the disclosure of certain information under section 701(b) of title 10.

(b) MANNER TRAINING IS PROVIDED.—The Secretary shall, to the maximum extent practicable, that training provided under subsection (a) is provided in person.

(c) CERTIFICATION.—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:

"332. Office of Accountability and Whistleblower Protection.".

SEC. 1097C. PROTECTION OF WHISTLEBLOWERS

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) CRITERIA REQUIRED.—The Secretary, in consultation with the Assistant Secretary for Accountability and Whistleblower Protection, shall develop and implement criteria that—

(i) The Secretary shall use as a critical element in any evaluation of the performance of a supervisory employee; and

(ii) Promotes the protection of whistleblowers.

(b) PRINCIPLES FOR PROTECTION OF WHISTLEBLOWERS.—The criteria required by subsection (a) of this section shall, at a minimum, include principles for protection of whistleblowers, such as the degree to which supervisory employees respond constructively when employees of the Department report concerns, take responsive action to resolve such concerns, and foster an environment in which employees of the Department are encouraged to report concerns to supervisory employees or to the appropriate authorities.

(c) SUPERVISORY EMPLOYER AND WHISTLEBLOWER.—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 consultation with the Assistant Secretary for Accountability and Whistleblower Protection, shall develop criteria that—

(i) An assessment of the use of administrative action to implement safeguards to prevent the retaliation described in paragraph (1) of this section.

(ii) Recommendations for legislative or administrative action to implement safeguards to prevent the retaliation described in paragraph (1) of this section.

(iii) Identification of such concerns as the Assistant Secretary in consultation with the Assistant Secretary for Accountability and Whistleblower Protection certifies as being satisfactory.

(iv) An explanation of each method established by law in which an employee may file a whistleblower disclosure.

(v) The right of contractors to be protected from reprisal for the disclosure of certain information under section 701(b) of title 10.

(b) MANNER TRAINING IS PROVIDED.—The Secretary shall, to the maximum extent practicable, that training provided under subsection (a) is provided in person.

(c) CERTIFICATION.—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:

"332. Office of Accountability and Whistleblower Protection.".

SEC. 1097C. PROTECTION OF WHISTLEBLOWERS

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(i) The Secretary shall use as a critical element in any evaluation of the performance of a supervisory employee; and

(ii) Promotes the protection of whistleblowers.

(b) PRINCIPLES FOR PROTECTION OF WHISTLEBLOWERS.—The criteria required by subsection (a) of this section shall, at a minimum, include principles for protection of whistleblowers, such as the degree to which supervisory employees respond constructively when employees of the Department report concerns, take responsive action to resolve such concerns, and foster an environment in which employees of the Department are encouraged to report concerns to supervisory employees or to the appropriate authorities.

(c) SUPERVISORY EMPLOYER AND WHISTLEBLOWER.—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 consultation with the Assistant Secretary for Accountability and Whistleblower Protection, shall develop criteria that—

(i) An assessment of the use of administrative action to implement safeguards to prevent the retaliation described in paragraph (1) of this section.

(ii) Recommendations for legislative or administrative action to implement safeguards to prevent the retaliation described in paragraph (1) of this section.

(iii) Identification of such concerns as the Assistant Secretary in consultation with the Assistant Secretary for Accountability and Whistleblower Protection certifies as being satisfactory.

(iv) An explanation of each method established by law in which an employee may file a whistleblower disclosure.

(v) The right of contractors to be protected from reprisal for the disclosure of certain information under section 701(b) of title 10.
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 6101. DEPARTMENT TITLE

This division is referred to 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;

(D) the Subcommittee on Homeland Security of the Committee on Appropriations of the House of Representatives;

(E) the Department;—The term “Department” means the Department of Homeland Security;

(F) the term “Secretary” means the Secretary of Homeland Security.

TITLE LXI.—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)—

(A) by striking subparagraph (F) and inserting the following:

‘‘(F) An Under Secretary for Management, who shall be the first assistant to the Deputy Secretary of Homeland Security for purposes of subsection (c) of title 5, United States Code.’’; and

(B) by adding at the end the following:

‘‘(K) An Under Secretary for Strategy, Policy, and Plans.’’;

(2) DEPARTMENT.—The term “Department” means the Department of Homeland Security;

(b)メンテナンス

(1) VACANCIES.—

(1) A VAILABILITY.—Section 1450(m)(1)(B) of title 10, United States Code, as added by paragraph (1), is amended—

(A) by inserting “or 1450(f)” after “section 1448(d)”; and

(B) by inserting “or (iii)” after “clause (ii)”; and

(C) by striking “section 1448(d)”.

(2) APPLICATION OF AMENDMENTS.—No annuity benefit under the Survivor Benefit Plan may be paid to a spouse 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—

(A) by inserting “or 1448(f)” after “section 1448(d)”;

(B) by inserting “or (iii)” after “clause (ii)”; and

(C) by striking “section 1448(d)”.

(2) APPLICABLE CODE, BY REASON OF THE AMENDMENT MADE BY NEW PARAGRAPH:

a.

(3) ELIGIBLE SURVIVING SPOUSE.—The Secretary may pay an annuity under this paragraph instead of an annuity for the surviving spouse, determined to 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) of section 1448(m) of title 10, United States Code, is as follows:

(d) AVAILABILITY OF SPECIAL SURVIVOR ANNUITY.

(1) A VAILABILITY.—Section 1450(m)(1)(B) of title 10, United States Code, as added by paragraph (1), is amended—

(A) by striking paragraph (9) and inserting the following:

‘‘(9) 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 implementing the corrective action plan and to the congressional homeland security committees and the Inspector General 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) 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.

(e) AVAILABILITY OF SPECIAL SURVIVOR INDEMNITY ALLOWANCE.

(1) AVAILABILITY.—Section 1450(h)(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, as amended by paragraph (1) of this subsection, may be made for any period before the date of the enactment of this Act.

(f) AMENDMENT TO CODE.

(1) IN GENERAL.—The amendment made by paragraph (1) may be made for any period before the date of the enactment of this Act.
(by inserting after subsection (c) the following:

"(d) System for Award Management Coordination.—The Under Secretary for Management shall ensure that all Department contracting and grant officials consult the System for Award Management (or successor system) by the General Services Administration prior to awarding a contract or grant or entering into other transactions to ascertain whether the selected contractor or awardee is authorized to receive Federal contracts, certain subcontracts, and certain types of Federal financial and non-financial assistance and benefits.")

SEC. 490. Joint Task Force 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:

"((2) Department Leadership Councils.—
"(A) Establishment.—The Secretary may establish a chairperson, and other senior officials of the Department.

"(B) Advisory Councils.—The Secretary may direct.

"(c) Other Matters.—The Secretary may direct.

"(d) Chairman; Membership.—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.

"(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) Joint Task Force.—The Secretary shall establish Joint Task Forces as the Secretary determines necessary to carry out the missions and responsibilities of the Joint Task Force, the Joint Requirements Council shall—

"(A) identify, assess, and validate joint requirements (including existing systems and associated capability) to meet mission needs of the Department;

"(B) ensure that appropriate efficiencies are made among life-cycle cost, schedule, and performance, 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.

"(5) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Secretary in carrying out the mission and responsibilities of the Joint Task Force.

"(6) Joint Task Force Staff.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Secretary in carrying out the mission and responsibilities of the Joint Task Force.

"(6) 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 January thereafter, submit to each committee described in subparagraph (B) a report that contains the evaluation described in subparagraph (A)."

"(II) 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) preparing 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 emergency management.

"(iv) International engagement.

"(v) The homeland security enterprise.

"(vi) Interagency collaboration.

"(vii) LEADERSHIP.—

"(A) Subject to paragraph (13), the Secretary may—

"(i) establish a joint duty training program within the first year of assignment to the Joint Task Force.

"(ii) a second report that contains the evaluation described in subparagraph (A) by not later than January 31, 2018; and

"(III) 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 506(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 506(c) of this Act and section 302 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5124).

"(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.

"(C) JOINT DUTY ASSIGNMENT PROGRAM.—

The Secretary may establish a joint duty assignment program within the Department for the purposes of enhancing coordination among the Joint Task Forces and the Department on a rotating basis, for a representative of State and local emergency responders at the National Operations Center, the Joint Chiefs of Staff, and key resources of the United States; and enhance the sharing of information between the Federal Government and State and local emergency response services.

"(D) T ECHNICAL AND CONFORMING AMENDMENTS.—

"(1) JOINT DUTY ASSIGNMENT PROGRAM.—

"(a) In General.—Section 707(b) of the Homeland Security Act of 2002 (6 U.S.C. 110) is amended—

"(i) by striking "in the event of" and inserting "and steady-state activities across the Department;"

"(b) in subsection (b)—

"(1) by inserting "joint duty assignment program within the Department on a rotating basis, for a representative of State and local emergency responders at the National Operations Center, the Joint Chiefs of Staff, and key resources of the United States; and enhance the sharing of information between the Federal Government and State and local emergency response services."

"(2) in subsection (c) and (d), as so redesignated—

"Sec. 708. Department coordination.

"(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 coordination of the efforts of the Offices, and activities across the Department;

"(3) develop and coordinate strategic plans and long-term goals of the Department with the Office of Strategic Analysis and Planning to improve operational mission effectiveness, including leading and conducting the quadrennial homeland security review under section 707; and

"(4) manage the 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 messaging and engagement; 
(7) carry out such other responsibilities as the Secretary determines appropriate.

(d) COORDINATION BY DEPARTMENT COMPONENTS—Notwithstanding any 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 AUTHORITY FOR IMMIGRATION STATISTICS.—

(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) IMMIGRATION STATISTICS.—There shall be transferred to the Under Secretary for Strategy, Policy, and Plans the maintenance of all immigration statistical information of the Office of Team Protection, U.S. Immigration and U.S. Citizenship and Immigration Services, which shall include information and statistics of the type contained in the publication "Handbook 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 CONFIRMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2131) is amended by inserting after the item relating to section 708 the following:


SEC. 1006. 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. 201 et seq.) is amended—

(1) by inserting after section 301 the following:

"Sec. 302. 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.

"(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 the 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—

(i) designate a career Deputy Assistant Secretary for Partnerships Against Violent Extremism; and

(ii) 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 nongovernmental 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 technologies and social media platforms to improve non-governmental 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, 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 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 non-governmental organizations.

(D) Serving as the primary Department-level representative in coordinating with the Department of State on international countering violent extremism.

(2) Contents of Strategy.—The strategy required under paragraph (1) shall, at a minimum, address each of the following:

(I) The Department’s digital engagement strategy 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, non-governmental, and foreign partners engaged in similar counter-messaging activities.

(ii) The Department’s countering violent extremism-related engagement and outreach activities.

(3) Use of Cooperative Agreements.—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 risks posed by violent extremists in the threat environment and empirical data assessing terrorist activities and incidents, and
(G) Information on the Department’s near-term, mid-term, and long-term risk-based countering violent extremism program, reflecting the risk analysis conducted under subparagraph (F).

(3) STRATEGIC CONSIDERATIONS.—In drafting the annual report under paragraph (1), the Secretary shall consider including the following:

(A) Departmental efforts to undertake research and develop the Department’s understanding of the risk of violent extremism and to identify ways to improve countering violent extremism programs and projects, 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, 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 the information on programs, 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) Annual report to Congress on 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 guidance, documents, policies, and training materials publicly available, including through any webpage developed under subparagraph (E).

(4) 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 coordinate with and provide assistance to other Federal departments and agencies.

(3) Qualitative and quantitative metrics for evaluating 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;

(B) All training specifically aimed at counter violent extremism sponsored by the Department.

(G) Information regarding the effectiveness of those efforts.

(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) Budget.—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 to reduce the estimated date of completion, to address areas of duplication, fragmentation, and overlap and for the President for revenue enhancement, as identified by the Government Accountability Office based on the annual report of the Government Accountability Office entitled, "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 Central Intelligence Agency or to the Export-Import Bank 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. 345) is amended by adding at the end the following:

"(c) STRATEGIC PLANS.—Consistent with the timing set forth in section 308(a) of title 5, United States Code, and 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 of the Department;

(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 and practices 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; and

(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. 6204. 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 to read as follows:

SEC. 704. CHIEF HUMAN CAPITAL OFFICER.

(a) In GENERAL.—There is a Chief Human Capital Officer, who 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.

(b) PLAN TO REDUCE SOFTWARE LICENSES.—The Chief Information Officer shall conduct a Department-wide inventory of all software licenses held by the Department, including utilized and unutilized licenses.

(c) ASSESS NEEDS.—The Secretary shall determine the number of software licenses held by the Department, including utilized and unutilized licenses.

(d) PLAN TO REDUCE SOFTWARE LICENSES.—Not later than 180 days after the date of enactment of this Act, the Secretary shall approve or disapprove the software license reduction plan.

(e) RESOURCES.—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.

(f) COMPONENT STRATEGIES.—Each component of the Department shall, in coordination with the Chief Human Capital Officer of the Department, develop a 5-year workforce strategy that supports the goals, objectives, and performance measures of the Department for determining the proper balance of Federal employees and private labor resources.

(g) 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 Federal services, including—

(A) hiring projections, including occupa-

(tion and grade level, as well as corresponding

salaries, benefits, and hiring or retention bon-

uses;

(B) the identification of critical skills require-

ments over the 5-year period, any cur-

rent or anticipated deficiency in critical skills, and the training or other measures required to ad-

dress those deficiencies in skills;

(C) recruitment of qualified candidates and retention of qualified employees;

(D) supervisory and management require-

ments;

(E) travel and related personnel support costs;

(F) the anticipated cost and impact on mission performance associated with replacing Federal employees with a private or other sector;

(G) other appropriate factors.

(h) 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 is 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);

(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 7903 of the National Defense Authorization Act for Fiscal Year 2010 (Pub. L. 111-189); and

(4) the number of full-time equivalent personnel identified under the Interagency Personnel Act of 1978 (42 U.S.C. 7401 et seq.).

SEC. 6205. WHISTLEBLOWER PROTECTIONS.

(a) IN GENERAL.—Section 883 of the Homeland Security Act of 2002 (6 U.S.C. 345) is amended to read as follows:

SEC. 883. WHISTLEBLOWER PROTECTIONS.

(a) DEFINITIONS.—In this section—

(1) the term 'new employee' means an indi-

vidual—

(A) appointed to a position as an em-

ployee 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 action in violation of—

(A) paragraphs (2) or (3) of section 2802(b) of title 5, United States Code, against an employee of the Department;

(B) the term 'supervisor' means a super-

visor as defined under section 7103(a) of title 5, United States Code, who is employed by the Department;

(C) 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.—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 pro-

vided under a union contract, a Federal judge, or the Inspector General of the De-

partment determines committed a prohib-

ited personnel action the following adverse actions:

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

(2) In the case of the second prohibited personnel action, removal.
“(A) Notice.—A supervisor against whom an adverse action under paragraph (1) is proposed is entitled to written notice.

“(B) Answer and evidence.—(i) 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 (or such other period as the Secretary determines appropriate) to cause the appropriate evidence to be submitted in support of the adverse action.

“(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 there is no evidence to support the adverse proposed adverse action, the Secretary shall carry out the adverse action.

“(C) Scope of procedures.—(Paras. 1, 2, and 3 of subsection (b) and subsection (c) of section 7513 of title 5, United States Code, and paragraphs (2) and (3) 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.

“(D) No limitation on other adverse actions.—An adverse action against a prohibited personnel action by the Secretary is not precluded by a prohibited personnel action by another agency or by another provision of law, the Secretary may carry out an adverse action under this paragraph, notwithstanding any prohibited personnel action under another provision of law.

“(E) Information on whistleblower protections available to employees of the Department.—(1) employees appointed to supervisory positions before the date on which a report required under subsection (a) is submitted to the congressional homeland security committees and the committees of the Senate having jurisdiction over the DeVolution of the Department that would reduce deficiencies in the capabilities of the Department to address the threats identified in the report required under subsection (a) and recommendations for actions to mitigate 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 issue a report, which shall include an assessment of the capability of the Department to address those threats.

“(C) Mitigation plan.—Not later than 30 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 submit to the congressional homeland security committees a plan to mitigate the threats to homeland security identified in the report.

“Sec. 2620. 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 Department’s funding and administrative expenditures and activities of each component of the Department that identifies potential cost savings, efficiencies, and effectiveness 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 other similar functions at each component of the Department; (ii) the Office of Personnel Management; and

“(B) whether any unnecessary duplication, overlap, or fragmentation exists with respect to those functions.

“Sec. 2627. Abolishment of certain offices.

“(a) Abolishment of the Director of Shared Services.—(1) The position of Director of Shared Services in the Department is abolished.

“(b) Abolishment of the Office of the Director of the Director of Shared Services.—The position of Director of Shared Services in 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. 843(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. 848).

“(c) In the table of contents in section 1(b) (Public Law 107–296; 116 Stat. 2135), by striking the item relating to section 210F the following:

“Sec. 210G. Annual homeland security assessment.

“(a) In general.—(i) An annual report to the Senate (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, 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 their terms of visa, by visa type;

“(ii) An estimated percentage of persons believed to have overstayed their visa, by visa type;

“(iii) A description of immigration enforcement actions.”

“Sec. 6302. Annual homeland security assessment.

“(a) In general.—(i) The number of persons known to have overstayed their terms of visa, by visa type; (ii) An estimated percentage of persons believed to have overstayed their visa, by visa type; (iii) A description of immigration enforcement actions.

“Sec. 210G. Annual homeland security assessment.

“(a) In general.—Not later than March 31 of each year beginning in the year after the date of enactment of this Act, 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.

“(b) Mitigation plan.—Not later than 30 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 submit to the congressional homeland security committees a plan to mitigate the threats to homeland security identified in the report.

“Sec. 2620. 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, efficiencies, and effectiveness 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 other similar functions at each component of the Department; (ii) the Office of Personnel Management; and

“(B) whether any unnecessary duplication, overlap, or fragmentation exists with respect to those functions.

“Sec. 2627. Abolishment of certain offices.

“(a) Abolishment of the Director of Shared Services.—(1) The position of Director of Shared Services in the Department is abolished.

“(b) Abolishment of the Office of the Director of the Director of Shared Services.—The position of Director of Shared Services in 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. 843(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. 848).

“(c) In the table of contents in section 1(b) (Public Law 107–296; 116 Stat. 2135), by striking 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 under the Urban Area Security Initiative and the State Homeland Security Grant Program under sections 203 and 204 of the Homeland Security Act of 2002 (42 U.S.C. 5174 and 5175), 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. 161 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 unclassified information, the public dissemination of which would jeopardize operational security; and

"(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 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) of this section, or 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.

"(C) DEADLINE AND UPDATES.—The list required under paragraph (1) shall contain—

"(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.—The term "research and development project" means a research and development project, program, or activity administered by the Department, whether ongoing, completed, or otherwise terminated.

"(5) PROJECT.—The term "project" means a research and development project, program, or activity administered by the Department, and includes 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 (1); and

"(iii) total obligation 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.

"(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, and 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).

"(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 1944 (42 U.S.C. 2141y);


"(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;

"(E) necessitated unclassified information.—The term 'controlled unclassified information' means information described as 'controlled unclassified information' under Executive Order 13556 (50 U.S.C. 3161 note) or any successor order;

"(F) PROJECT.—The term 'project' means a research and development project, program, or activity administered by the Department, whether ongoing, completed, or otherwise terminated.

"(g) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–206; 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 Act, 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 (1); and

"(iii) total obligation 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.

"(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Inspector General of Homeland Security shall submit to the congressional homeland security committees a report on the National Bio and Agro-Defense Facility that includes—

"(1) the extent to which cost and schedule estimates for the project conformed 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.

Not later than 3 years after the date of enactment of this Act, the Inspector General of the Department shall—

"(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;

"(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 Act, 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 (1); and

"(iii) total obligation 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.

"(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 conforms 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.
(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. 545) is amended—
(1) in the section heading, by striking ‘‘YEARS’’ 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 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 (A), by striking ‘‘and’’ at the end;
(ii) by redesignating subparagraph (1) as subparagraph (L); and
(iii) by inserting after subparagraph (H) the following:
‘‘(I) integrating capabilities into the mission and business operations of the Department;’’.

SEC. 6308. QUADRENNIAL HOMELAND SECURITY REVIEW.
(a) In General.—Section 707 of the Homeland Security Act of 2002 (Pub. L. 107-296; 116 Stat. 2135) 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) in paragraph (7), by striking the period and inserting 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’’.

SEC. 6309. REPORTING REDUCTION.


(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’’—
(ii) in the matter preceding subparagraph (B), by striking ‘‘once every other year’’—
(iii) in subparagraph (H), by striking ‘‘and’’;
(iv) the Subcommittee on Homeland Security of the Committee on Appropriations of the House of Representatives;’’.

(d) Reporting Reduction.—Section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101) is amended—
(1) by redesigning paragraphs (13) through (18) as paragraphs (17) through (22), respectively;
(2) by redesigning paragraphs (9) through (12) as paragraphs (12) through (15), respectively;
(3) by redesigning paragraphs (4) through (8) as paragraphs (6) through (10), respectively;
(4) by redesigning 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;’’.

(e) Effect of Amendment.—The amendments made by this section shall take effect on the date of enactment of this Act.
TITLE LXIV—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 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 subsection II of chapter 63 of title 5, United States Code, as amended by adding at the end the following:

"§ 6329a. Administrative leave

(1) Definitions.—In this section—
(A) the term 'administrative leave' means—
(i) 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) does not include the Government Accountability Office; and
(2) the term 'employee'—
(A) means an Executive agency (as defined in section 105 of this title); and
(B) does not include an intermittent employee who does not have an established regular tour of duty during the administrative workweek.

(2) 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 administrative leave for—
(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) Civilian employees.—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) acceptance by 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 Committees 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 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

(1) Definitions.—In this section—
(A) the term 'agency'—
(i) means an Executive agency (as defined in section 105 of this title); and
(ii) does not include the Government Accountability Office;
(B) the term 'Chief Human Capital Officer' means—
(i) the Chief Human Capital Officer of an agency designated or appointed under section 1401; or
(ii) the equivalent;
(C) 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;
(D) the term 'Director' means the Director of the Office of Personnel Management;
(E) the term 'investigative leave' means—
(i) without loss of or reduction in—
(ii) pay;
(iii) leave to which an employee is otherwise entitled under law; or
(iv) credit for time or service;
and
(F) notice leave—
(i) the employee is provided notice required under law of a proposed adverse action against the employee; and
(ii) 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—
(A) made a determination, with respect to the employee under subsection (c)(1),—
(i) considered the available options for the employee under subsection (c)(2); and
(B) determined that none of the available options under subsection (c)(2) is appropriate.

(3) Employees Under Investigation Or In A Notice Period.—
(A) 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—
(i) pose a threat to the employee or others;

(ii) result in the destruction of evidence relevant to an investigation;

or

(iii) cause loss of or damage to Government property; or

(D) otherwise jeopardize legitimate Government interests.

(4) 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 entitled; and

(C) Requiring the employee to telework under section 6302(c).

(T) 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
(B) in which an employee who is the subject of an investigation is placed;
(C) The term 'notice leave' means—
(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
(B) 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.

(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;
(C) Ensure Accurate And Consistent Recording Of The Use Of Administrative Leave So That Administrative Leave Can Be Managed And Overseen Effectively; And
(D) Other Forms Of Excused Absence Authorized By Law Should Be Recorded Separately From Administrative Leave, As Defined By The Amendments Made By This Section.

(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.

(8) Appropriate Personnel Action Is Taken With Respect To The Employee;
(9) An Employee Continues To Meet 1 Or More Of The Criteria Described In Subsection (c)(1).

"(9) Management shall—
(A) establish precedent of the Comptroller General of the United States; and
(B) provide guidance to agencies regarding—
(i) acceptance by agency uses of administrative leave; and
(ii) the proper recording of—
(I) administrative leave; and
(ii) other leave authorized by law.

"(10) 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.

"(11) 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 Committees 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

(1) Definitions.—In this section—
(A) the term 'agency'—
(i) means an Executive agency (as defined in section 105 of this title); and
(B) does not include the Government Accountability Office;
(B) 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 'investigative leave' means—
(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 administrative leave for—
(A) specifically authorized under law; and
(B) not administrative leave.
(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, extend 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.

(2) INITIAL EXTENSION OF INVESTIGATIVE LEAVE.—Subject to extension of a period of investigative leave for which an employee may be eligible under subsection (b), 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 investigative leave for a period not longer than the duration of the notice period.

(4) EXPLANATION.—The written notice under subparagraph (A) shall describe the limitations of the leave placement and the reasons for the leave placement.

(1) 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.

(2) 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—

(A) committees of jurisdiction;

(B) the appropriate Committees on Governmental Affairs of the Senate; and

(C) the Office of Personnel Management.

(3) No limit.—There shall be no limit on an employee in investigative leave during an investigation of the employee, including an investigation during the initial period of leave.

(4) Maximum number of extensions.—The total period of additional investigative leave for an employee under paragraph (1) may not exceed 110 days.

(5) Duration of leave.—For an employee for a period of not more than 30 days.

(6) Procedures and criteria for the approval of an extension.—The Office of Inspector General of an agency shall prescribe regulations to carry out this section, including guidance to agencies regarding—

(A) committees of jurisdiction;

(B) the appropriate Committees on Governmental Affairs of the Senate; and

(C) the Office of Personnel Management.

(2) No limit.—An agency shall allow an employee in investigative leave during an investigation of the employee, including an investigation during the initial period of leave.

(3) 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) committees of jurisdiction;

(B) the appropriate Committees on Governmental Affairs of the Senate; and

(C) the Office of Personnel Management.

(4)unset.—The authority provided under subsection (a) of section 7421 of title 5, United States Code, is amended—

(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); 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.

(3) 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) committees of jurisdiction;

(B) the appropriate Committees on Governmental Affairs of the Senate; and

(C) the Office of Personnel Management.

(4) Procedure and criteria for the approval of an extension.—An agency shall allow an employee in investigative leave during an investigation of the employee, including an investigation during the initial period of leave.
(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 6329c(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:
(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
(IV) otherwise jeopardize legitimate Government interests.

(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) of this subsection, including:
(A) an assessment of agency use of the authority provided under subsection (e) of such section, 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—
(1) concurred with the decision of an agency to grant an extension; and
(2) 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 (a) 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:
“(e) 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 period.”

(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) term ‘agency’—
“(A) means an Executive agency (as defined in section 185 of this title); and
“(B) does not include the Government Accountability Office; and
“(2) term ‘employee’—
“(A) means 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 subsection (a) 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 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 7921 of title 38, this section shall apply to an employee described in subsection (b) of that section.
“(f) 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 the date of enactment of this Act, the Director shall submit to Congress a report evaluating the results of the review.

SEC. 6402. UNITED STATES GOVERNMENT REVIEW OF CERTAIN FOREIGN FIGHTER TRAVEL.

(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) includes:
(1) identify 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 efforts 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 havens 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 Foreign Relations of the Senate;
(E) the Committee on Banking, Housing, and Urban Affairs of the Senate;
(F) the Committee on Appropriations of the Senate;
(G) the Committee on Homeland Security of the House of Representatives;
(H) the Permanent Select Committee on Intelligence of the House of Representatives;
(I) the Committee on the Judiciary of the House of Representatives;
(J) the Committee on Armed Services of the House of Representatives;
(K) the Committee on Foreign Affairs of the House of Representatives;
(L) 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 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) outline 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 under implementation;
(iii) new authorities or changes in existing authorities needed from Congress;
(iv) specific budget adjustments being requested; 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 180-day 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. 6406. 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.
(b) Northern Border.—The term "Northern Border" means the land and maritime borders between the United States and Canada.
(c) Northern Border Threat Analysis.—
(1) 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—
(A) current terrorist and criminal threats posed by individuals and organized groups seeking—
(i) to enter the United States through the Northern Border;
(ii) to exploit border vulnerabilities on the Northern Border;
(iii) to enter 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;
(2) 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
(3) whether additional U.S. Customs and Border Protection preclearance and preinspection operations at ports of entry along the Northern Border are sufficient to help prevent terrorists and instruments of terror from entering the United States;
(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 5401. 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; 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:
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 5402. Ms. MURKOWSKI (for herself, Mr. WHITEHOUSE, Mr. SULLIVAN, Ms. KLOBUCHAR, Mr. FRANKEN, Ms. BALKENIEN, and Mrs. BONHAM) 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 Internment 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 resident 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 appropriate fiscal year 2017 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 instructions 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 any exclusive economic zone 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 ACTIVITIES.

(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 identified within the United States Strategic Command as of the date of the report to ensure the security of all United States intercontinental ballistic missile sites.

(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, 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 subparagrapgh (A) until the 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. DONELLY (for himself, Mr. INHOFE, Mr. KAIN, 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 increased 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 at different rates in different locations.

SA 4506. Ms. WARREN (for herself, Mr. WHITEHOUSE, Mr. MARKY, Ms. BALDWIN, Mr. MURPHY, Mr. LEAHY, Mrs. MURRAY, Mr. MERKLEY, Mr. CASEY, Ms. CANTWELL, Mr. SANDERS, Ms. STABENOW, and Mr. TESTER) 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—

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SEC. 1097. ONE-TIME SUPPLEMENTARY PAYMENT TO SOCIAL SECURITY BENEFICIARIES AND VETERANS.

(U.S.C. 231a(d)(1)(ii));

(IX) section 223(a) of such Act (42 U.S.C. 423(a));

(X) section 223(b) of such Act (42 U.S.C. 423(b));

(XI) section 223(c) of such Act (42 U.S.C. 423(c));

(XII) section 223(d) of such Act (42 U.S.C. 423(d));

(XIII) section 223(e) of such Act (42 U.S.C. 423(e));

(XIV) section 223(f) of such Act (42 U.S.C. 423(f));

(XV) section 223(g) of such Act (42 U.S.C. 423(g));

(XVI) section 223(h) of such Act (42 U.S.C. 423(h));

(XVII) section 223(i) of such Act (42 U.S.C. 423(i));

(XVIII) section 223(j) of such Act (42 U.S.C. 423(j)).
(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 of a veteran and to such veteran's representative payee or fiduciary.

(b) Certification.—In paragraph (a), the word ‘prior’ shall be read as the word ‘subsequent’ after the word ‘individual’ wherever it appears in such paragraph.

(c) Cash Benefit Description.—A cash benefit described in this subsection is a cash benefit payable under section 1611 (other than under subsection (e)(1)(B) of such section) or 1819(a) of the Social Security Act (42 U.S.C. 1328).  

(2) No Double Payments.—An individual shall be paid only one 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 to:

(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 in which 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 (c) or (d) of section 1323A of such Act (42 U.S.C. 1328a–8a);  

(B) in the case of an individual entitled to a benefit specified in paragraph (1)(B)(ii)(VI) 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 section 1305, 1313, or 1313B 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)(3) of section 1311 (42 U.S.C. 1328b) or section 1129A of such Act (42 U.S.C. 1328a–8a);  

(D) in the case of an individual who has been penalized under section 1130(a) of the Social Security Act (42 U.S.C. 1320–8a); or

(E) in the case of any individual whose date of birth is later than the date of birth for whom 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 under an 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, informing the individual 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 the Treasury, shall make available on the 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) any other relevant information.

(c) Treatment of Payments.—

(1) Payment to be Disregarded for Purposes of All Federal and Federally Administered Programs.—A payment under subsection (a) shall not be regarded as income and shall not be disregarded for purposes of the Internal Revenue Code of 1986, as follows:

(A) Payment on the Basis of a Title II Benefit or SSI Benefit.—For purposes of section 203(a) of the Social Security Act (42 U.S.C. 1320a–8a), a payment under subsection (a) shall be disregarded for purposes of the Internal Revenue Code of 1986, as follows:

(ii) the amount of any benefit payment described in paragraph (1) of subsection is paid to a representative payee or fiduciary, the payment under subsection (a) shall be disregarded in determining the individual's entitlement to, or eligibility for, a benefit specified in subparagraph (B) or (C) of subsection (a)(1).

(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.—A payment under subsection (a) shall be disregarded in determining the eligibility of the recipient (or the recipient's spouse or family) for benefits or assistance, under any State or local program financed in whole or in part with Federal funds.

(4) Treatment Under Social Security Act.—

(A) No Effect on Family Maximum.—For purposes of section 200(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 absence 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 is a benefit payment to such individual under subsection (a)(1)(B) 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.

(ii) Affordability.—

(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. 1328a–8a) 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) of 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 207 of the Railroad Retirement Act (45 U.S.C. 231j) shall apply to any payment made on the basis of an entitlement to a benefit specified in paragraph (1)(B)(ii) of subsection (a) of such section applies to a payment under such Act.

(C) Payment on the Basis of a Veterans Benefit.—Section 1129(a)(3) of the Social Security Act (42 U.S.C. 1328a–8a) shall apply to any payment made on the basis of an entitlement to a benefit specified in paragraph (1)(B)(ii) of subsection (a) of such section applies to a payment under such Act.

(d) 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 nearest multiple of $1.

(1) Appropriation.—Out of any sums in the Treasury of the United States not otherwise appropriated, the amount appropriated for the fiscal year 2016 is $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 who is an officer, director, or employee of the Treasury or the Internal Revenue Service, or any individual who is an officer, director, or employee of the Secretary's delegate, deposited in the Trust Fund (as defined in subsection (b) of section 1202 of the Internal Revenue Code of 1986) and who is required to file reports under section 1324(b)(2) of title 31, United States Code, for purposes of this subsection.

(2) IN GENERAL.—For purposes of subparagraph (A), 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) (as in effect for taxable years beginning after December 31, 2016).

(b) IN GENERAL.—Section 162(m) of the Internal Revenue Code of 1986, as amended by subsection (a), is amended—

(1) IN GENERAL.—Paragraph (4) of section 162(m) of such Code is amended—

(i) by striking "subparagraphs (B), (C), and (D) thereof" in subparagraph (D) and inserting "subparagraphs (B) through (D) thereof";

(ii) by striking subparagraphs (F) and (G) in subparagraph (G) and inserting "subparagraphs (D) and (E)");

(iii) by striking "(ii)" in subparagraph (H) and inserting "(i)"; and

(iv) by striking "(ii)" in subparagraph (I) and inserting "(i)".

(c) EXCLUSION OF TIN.—For purposes of subparagraph (B) of section 162(m) of the Internal Revenue Code of 1986 is amended by inserting "(as in effect for taxable years beginning after December 31, 2016)"

(d) REGULATORY AUTHORITY.—The Secretary may make the exemptions and modifications prescribed by this section subject to rules prescribed by the Secretary of the Treasury.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2016.

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) REQUIREMENT.—

(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 Appropriations 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 Marines Recruits’ published by E.A. Williams (née Edeleinstein)).

(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 considered for reducing noise pollution due to small arms fire.

(E) A description of current mitigation strategies made available to the public for hearing loss, tinnitus, and noise pollution as a whole and not as separate issues.
SA 4508. Mr. BROWN (for himself and Ms. WARNEN) 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 "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 (29 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 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. SHELY, 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;

(2) notwithstanding any other provision of law, may, during the period beginning on the date of enactment of the 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 most powerful 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 LIQUIDATIONS 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 determination of a contractor's contract under subsection (a), the Secretary 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 manner that meets the Department's obligations to the Armed Forces and their families in a fair and timely manner.

(b) INDEMNIFIED DEPARTMENT OF DEFENSE CONTRACTORS.—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 FOR MARITIME OFFENSES AND ACTS OF NUCLEAR TERRORISM.

(a) PENALTIES RELATING TO MARITIME OFFENSES.—

(1) PENALTIES FOR VIOLENCE AGAINST MARITIME NAVIGATION.—Section 2280a(a)(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 2281, 2281a, or 2281b (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 "2282i," after "2282h.

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 532 of the Public Health Service Act (42 U.S.C. 266-4) 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 "; ";

(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 develop 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, the coordinating committee established under subsection (e), and the advisory board established under subsection (f) that describes and
analyze the progress during the preceding fiscal year in achieving the goals and objectives described in paragraph (2)(C) and includes expenditures for rehabilitation research, planning, and other related activities of the National Institute 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 shall consult with the Director of NIH, 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’’;

(4) in subsection (e)—

(A) by inserting after clause (ix) through (x) as clauses (xx) through (xxii), respectively; and

(B) by inserting after clause (viii) the following:

‘‘(ix) The Director of the Division of Program Coordination, Planning, and Strategic Initiatives;’’;

(5) 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 activities 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 PREVENTION OF 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) by redesignating clauses (ix) through (xi) as clauses (x) through (xii), respectively; 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. 523. 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 the extent of the international monitoring and verification system, including the extent to which such inadequacies relate to the findings and recommendations pertinent to verification short-comings identified within.

(b) Assessment Report.—Not later than 60 days after the joint assessment report is submitted under subsection (a), the President shall certify that the President has reviewed the report, including the recommendations contained therein, and has taken actions to be sufficient 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 302(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)(i).

‘‘(B) Service.—The termination of lawful permanent resident 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; and

‘‘(ii) by mailing such notice to the alien’s most recent United States address, as provided to the Secretary under section 261 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; or (C) CHALLENGE TO NOTICE OF TERMINATION.—

(1) IN GENERAL.—An alien whose status is terminating may challenge such termination by seeking review of such termination in accordance with subsection (A) 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 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.

(2) TRAVEL.—The Secretary of Homeland Security shall establish a process through which an alien granted lawful permanent residence under subsection (B) may apply in accordance with subsection (B) for permission to travel to Afghanistan.

(E) JUDICIAL REVIEW.—Except as specifically provided under subsection (C), and notwithstanding any other provision of law (statutory or nonstatutory, including section 2421 of title 28, United States Code, or any other federal 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 to permit the Secretary of Homeland Security to return an alien to a country to which such alien is determined not to be a refugee under the terms of subsection (B).

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 973.

SA 4519. 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 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: Strike section 1052.

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 1600.

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 973.
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.

(3) DEFINITIONS.—In this section:
(1) the term "appropriate committees of Congress" means—
(A) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of 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.

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 CURRENT ARRANGEMENT.—The Secretary of Defense may not take action to end the arrangement described in subsection (a) unless—
(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) C ONDITIONS-BASED CRITERIA.—The Secretary and the Chairman of the Joint Chiefs of Staff jointly determine and certify to the appropriate committees of Congress that the continuation of that arrangement poses risks and impedes the appropriate prioritization of national intelligence requirements.

(d) REPORTS.—Not later than 90 days after 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.

(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.

(4) DEFINITIONS.—In this section:
(1) the term "appropriate committees of Congress" means—
(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and
(B) the Committee on Armed Services, the Committee on Appropriations, the Permanent Select Committee on Intelligence of the Select Committee on Intelligence of the Senate; and
(C) the Permanent Select Committee on Intelligence of the House of Representatives.

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:

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 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 "that the"

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", 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.

On page 1242, line 4, strike "committees", insert "committees, the Select Committee on Intelligence of the Senate, the Permanent Select Committee on Intelligence of the House of Representatives."

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. 6161 et seq.) in order to enhance STEM education and programs;

(4) makes personnel available to advise and assist schools 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 STEM disciplines;

(6) awards scholarships and fellowships, and establishes cooperative work–education programs in scientific disciplines;

(7) retains or 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:

“(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) for 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) 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, precursors, chemicals, and components into conflict areas such as Syria, Iraq, and Afghanistan;

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

(3) it is essential that the continuing efforts of the United States to counter improvised explosive devices leverage all instruments of national 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. 545. REPORTS ON INCIDENTS OF SEXUAL ASSAULT MADE BY MEMBERS OF THE ARMED FORCES TO HEALTH CARE PROVIDERS OR THE DEPARTMENT OF VETERANS AFFAIRS TREATABLE AS DEPARTMENT OF DEFENSE 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.—(I) In the case of any report transmitted by the Secretary of Veterans Affairs to such personnel of the Department of Veterans Affairs, the Secretary of Veterans Affairs shall transmit a copy of such report to the Secretary of Defense.

SA 4539. Mrs. GILLIBRAND (for herself, Mr. DASCHLE, and Mr. D. B. AXELROD) 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 Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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 1135 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 section 1135 of title 10, United States Code, is amended by striking “incident to the performance of their military duties.”

SEC. 554. REPORTS ON INCIDENTS OF SEXUAL ASSAULT MADE BY MEMBERS OF THE ARMED FORCES TO HEALTH CARE PROVIDERS OR THE DEPARTMENT OF VETERANS AFFAIRS TREATABLE AS DEPARTMENT OF DEFENSE 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.—(I) In the case of any report transmitted by the Secretary of Veterans Affairs to such personnel of the Department of Veterans Affairs, the Secretary of Veterans Affairs shall transmit a copy of such report to the Secretary of Defense.

(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 approved by employers within an industry or sector, mechanisms to verify that—

(i) such credentials are in fact required or proposed for such employment or advancement in such employment; and

(ii) the provider of such credentialing programs meet quality assurance criteria as the Secretary, 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.

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 1135 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) is accredited by the program that meets the requirements in paragraph (2); or

(2) by striking paragraph (4) and inserting the following:

(4) 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.

(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 approved by employers within an industry or sector, mechanisms to verify that—

(i) such credentials are in fact required or proposed for such employment or advancement in such employment; and

(ii) the provider of such credentialing programs meet quality assurance criteria as the Secretary, 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.

SEC. 554. REPORTS ON INCIDENTS OF SEXUAL ASSAULT MADE BY MEMBERS OF THE ARMED FORCES TO HEALTH CARE PROVIDERS OR THE DEPARTMENT OF VETERANS AFFAIRS TREATABLE AS DEPARTMENT OF DEFENSE 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.—(I) In the case of any report transmitted by the Secretary of Veterans Affairs to such personnel of the Department of Veterans Affairs, the Secretary of Veterans Affairs shall transmit a copy of such report to the Secretary of Defense.
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—

(1) by inserting ``(includ-

ing its territorial seas)'' after ``(served on ac-

tive duty in the Republic of Vietnam'';

(b) HEALTH CARE.—Section 1710(e)(4) of such title is amended by inserting ``(including its territorial seas)'' after ``(served on ac-

tive duty in the Republic of Vietnam'';

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take ef-

fect 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 412 of the Air Transportation Safety and System Stabilization Act (40 U.S.C. 4011 note), as added by section 402(g) of the James Zadroga 9/11 Vic-

tim Compensation Fund Reauthorization Act (title X of division O of Public Law 114–113), is amended—

(1) by amending section heading to read as follows: "TEMPORARY VISA FEE FOR EMPLOY-

ERS 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 Immigra-

tion and Nationality Act (8 U.S.C. 1315) or any other provision of law, the filing fee re-

quired to be submitted with a petition filed under section 101(a)(15)(L) of the Immigra-

tion and Nationality Act (8 U.S.C. 1101(a)(15)(L)), except for an amended peti-

tion 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 be increased for a petition described in this subsection who file a notice of intent to file a petition on the basis of an approved blanket petition.

(b) TEMPORARY H-1b Visa Fee Increase.—Notwithstanding section 281 of the Immigra-

tion and Nationality Act (8 U.S.C. 1315) or any other provision of law, the filing fee re-

quired to be submitted with a petition under section 101(a)(15)(H)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(b)), except for an amended petition without an extension of stay re-

quest, 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."

(b) EFFECTIVE DATES.—The amendments made by subsection (a) shall take effect on October 1, 2016.

SEC. 1099. RULE OF CONSTRUCTION. Nothing in this subtitle, or the amendments made by this subtitle, shall be con-

strued to require the disclosure of informa-

tion that is otherwise expressly prohibited from re-

lease or disclosure under Federal law.

SEC. 1100. FEDERAL INFORMATION POLICY DEFINITIONS.

Section 3502 of title 44, United States Code, is amended—

(1) in paragraph (3), by striking "and" at the end and inserting a semicolon;

(2) in paragraph (4), 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 infor-

mation, regardless of form or the media on which the data is recorded;

(6) the term ‘data asset’ means a collec-

tion of data elements or data sets that may be grouped together;"
SEC. 1099B. RESPONSIBILITIES OF THE 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 3503(b) of title 44, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ";"

(B) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively;

(C) by inserting after paragraph (3), as so redesignated, the following:

"(4) "Federal Chief Information Officer" means the Federal Chief Information Officer established under section 3602;"

(2) in paragraph (2), by striking "the Administration shall" and inserting "the Federal Chief Information Officer shall"; and

(3) in paragraph (3), by striking "the Administration" and inserting "the Office of the Federal Chief Information Officer";

(4) in paragraph (4), by striking "the Administration" and inserting "the Federal Chief Information Officer";

(5) in paragraph (6), by striking "the Administration" and inserting "the Office of the Federal Chief Information Officer";

(c) EFFECTIVE DATE.—Notwithstanding section 1099C, 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.

(2) the term 'public data asset' means a data asset that—

(A) is machine-readable;

(B) is available in an open format; and

(C) part of the worldwide public domain or, if necessary, published with an open license;

and

(2) 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 to the public on terms not to the public; and

(B) with no restrictions on copying, publishing, distributing, transmitting, citing, or adapting; and

(2) 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) is released to the public in an open format and is discoverable through a search of a data Gov.

SEC. 1099B. RESPONSIBILITIES OF THE 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 3503(b) of title 44, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ";"

(B) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively;

(C) by inserting after paragraph (3), as so redesignated, the following:

"(4) "Federal Chief Information Officer" means the Federal Chief Information Officer established under section 3602;"

(2) in paragraph (2), by striking "the Administration shall" and inserting "the Federal Chief Information Officer shall"; and

(3) in paragraph (3), by striking "the Administration" and inserting "the Office of the Federal Chief Information Officer";

(4) in paragraph (4), by striking "the Administration" and inserting "the Federal Chief Information Officer";

(5) in paragraph (6), by striking "the Administration" and inserting "the Office of the Federal Chief Information Officer";

(c) EFFECTIVE DATE.—Notwithstanding section 1099C, 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.

(2) the term 'public data asset' means a data asset that—

(A) is machine-readable;

(B) is available in an open format; and

(C) part of the worldwide public domain or, if necessary, published with an open license;

and

(2) 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 to the public on terms not to the public; and

(B) with no restrictions on copying, publishing, distributing, transmitting, citing, or adapting; and

(2) 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) is released to the public in an open format and is discoverable through a search of a data Gov.

SEC. 1099B. RESPONSIBILITIES OF THE 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 3503(b) of title 44, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ";"

(B) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively;

(C) by inserting after paragraph (3), as so redesignated, the following:

"(4) "Federal Chief Information Officer" means the Federal Chief Information Officer established under section 3602;"

(2) in paragraph (2), by striking "the Administration shall" and inserting "the Federal Chief Information Officer shall"; and

(3) in paragraph (3), by striking "the Administration" and inserting "the Office of the Federal Chief Information Officer";

(4) in paragraph (4), by striking "the Administration" and inserting "the Federal Chief Information Officer";

(5) in paragraph (6), by striking "the Administration" and inserting "the Office of the Federal Chief Information Officer";

(c) EFFECTIVE DATE.—Notwithstanding section 1099C, 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.

(2) the term 'public data asset' means a data asset that—

(A) is machine-readable;

(B) is available in an open format; and

(C) part of the worldwide public domain or, if necessary, published with an open license;

and

(2) 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 to the public on terms not to the public; and

(B) with no restrictions on copying, publishing, distributing, transmitting, citing, or adapting; and

(2) 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) is released to the public in an open format and is discoverable through a search of a data Gov.

SEC. 1099B. RESPONSIBILITIES OF THE 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 3503(b) of title 44, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ";"

(B) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively;

(C) by inserting after paragraph (3), as so redesignated, the following:

"(4) "Federal Chief Information Officer" means the Federal Chief Information Officer established under section 3602;"

(2) in paragraph (2), by striking "the Administration shall" and inserting "the Federal Chief Information Officer shall"; and

(3) in paragraph (3), by striking "the Administration" and inserting "the Office of the Federal Chief Information Officer";

(4) in paragraph (4), by striking "the Administration" and inserting "the Federal Chief Information Officer";

(5) in paragraph (6), by striking "the Administration" and inserting "the Office of the Federal Chief Information Officer";

(c) EFFECTIVE DATE.—Notwithstanding section 1099C, 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.

(2) the term 'public data asset' means a data asset that—

(A) is machine-readable;

(B) is available in an open format; and

(C) part of the worldwide public domain or, if necessary, published with an open license;

and

(2) 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 to the public on terms not to the public; and

(B) with no restrictions on copying, publishing, distributing, transmitting, citing, or adapting; and

(2) 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) is released to the public in an open format and is discoverable through a search of a data Gov.
(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 306 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 11320(c)(4) of title 40, United States Code, is amended by striking "Administrator of the Office of Electronic Government" 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.—

(1) Section 2221(d)(6) of title 10, United States Code, is amended by striking "section 3601(4)" and inserting "section 3601(3)".

(2) Section 7 of chapter 35 of title 44, United States Code, as amended by section 5 of this Act, is amended by striking "section 3601(4)" and inserting "section 3601(3)".

(3) In section 3601, the word "shall" shall be construed to affect any of the substantive provisions of this Act or 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, programs, and agency programs and administrative activities.

"(B) Data assets shared or maintained across agency programs and bureaus.

"(C) Data assets that are shared among agencies or created by more than one agency.

"(D) A clear indication of all data assets that can be made publicly available under section 5306 of title 44, United States Code, as 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 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.

"(h) Purposes.—The Chief Information Officer of each agency shall use the guidance provided by the Director pursuant to section 3522(e)(ii) to determine whether a public data asset 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 shall:

"(1) make the Enterprise Data Inventory available to the public on Data.gov; and

"(2) 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 complete and publish the Enterprise Data Inventory for the agency.

"(g) Technical and Conforming Amendments.—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 "; and"; and

"(2) in subsection (c), by striking the period at the end and inserting "; and".

"(h) Federal Agency Responsibilities.—

"(1) Each Federal agency shall use open data requirements in accordance with subsection (d)(2):

"(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 using data in an economical manner; and

"(B) requires the agency to provide data online, with each dataset described in a machine-readable format and otherwise in an economical manner, in accordance with existing law, that allow for the acquisition of innovative solutions from the public and private sectors.

"(i)Prohibits the dissemination and accidental disclosure of nonpublic data assets; and

"(ii) in subsection (c), by striking "With respect to" and inserting "Except as provided under subsection (j), with respect to";

"(j) by adding at the end the following:

"(A) in the matter preceding paragraph (1), by striking "shall" and inserting "may";

"(B) in paragraph (1)—

"(i) in the matter preceding subparagraph (A), by striking "shall" before "ensure"; and

"(ii) in subparagraph (A), by striking "sources" and inserting "sources and uses";

"(k) in subparagraph (B), by striking "; and" before "only";

"(l) in paragraph (3)—

"(i) by striking "shall" before "provide"; and

"(m) in paragraph (4)—

"(i) by striking "may" before "not"; and

"(n) by striking the period at the end and inserting a semicolon; and

"(o) 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) engaging 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:

(i) CHIEF INFORMATION OFFICERS AND CHIEF INFORMATION OFFICERS—The terms 'data', 'data asset', 'Enterprise Data Inventory', 'data asset management, format standardization, sharing of data assets, and publication of data assets', and 'compliance and publication of the Enterprise Data Inventory for the agency required under section 3523 of title 44' are respectively defined as the following:

(a) DATA.GOV REQUIRED.—The Administrator of General Services shall require each agency to 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).

(c) DEADLINE.—Not later than 180 days after the date of enactment of this Act, the Administrator of General Services shall require the terms and conditions related to 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 includes the following:

(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 the agency has expanded the publicly available information to any other data assets;

(3) the completeness of the Enterprise Data Inventory 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:

83511A. Technology portal

(a) DATA.GOV REQUIRED.—The Administrator of General Services shall require each agency to publish a data.gov repository online to facilitate collaboration and adoption of open data assets.

(b) COORDINATION WITH AGENCIES.—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 subchapter; 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: The extent to which the agency uses data to support agency operations:—

(2) in subsection (c), by inserting after paragraph (2), by striking ; and into the next paragraph:

(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 Act, 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 includes the following:

(1) the extent to which 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

(2) identifying 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(b) 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:

(b) WORK WITH THE OFFICE OF GOVERNMENT INFORMATION SERVICES AND THE DIRECTOR OF THE TECHNOLOGY PORTAL TO PROMOTE DATA INTEROPERABILITY AND COMPARABILITY OF DATA ASSETS ACROSS THE GOVERNMENT.

SEC. 1099E. EVALUATION OF AGENCY ANALYTICAL CAPABILITIES.

(a) AGENCY REVIEW OF EVALUATION AND ANALYTICAL CAPABILITIES.—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 address 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 the combination of formative and summative evaluation research and analysis approaches.

(5) The extent to which evaluation research and analysis 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 uses capacity to assist from staff and program offices to develop the capacity to use evaluation research and analysis approaches and data in the day-to-day operations.
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, recommendations to further improve agency capacity to use evaluation techniques and data to support evaluation efforts.

SEC. 1075. 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:

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

SEC. 1097. EXTENSION OF DEADLINE FOR MILITARY TRAINING STATES.

(a) Definition of a State—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(b) 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 Promotion.—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 (as defined in sections 301 and 302 of title 42, United States Code) shall, by rule, publish the 2015 ozone standards, or any modifications to such standards, in the Federal Register.

SEC. 1074. MEAT OPTIONS.

Following:

SEC. 1097. MEAT OPTIONS.

(a) Definition of a State—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 is located, the Administrator of the Environmental Protection Agency (as defined in sections 301 and 302 of title 42, United States Code) shall, by rule, publish the 2015 ozone standards, or any modifications to such standards, in the Federal Register.

(b) Designation Promotion.—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, by rule, publish the 2015 ozone standards, or any modifications to such standards, in the Federal Register.

SEC. 1094. TECHNICAL AND CLERICAL CORRECTIONS.

At the end of title XII, add the following:

SEC. 1097. MEAT OPTIONS.

(a) Definition of a State—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 is located, the Administrator of the Environmental Protection Agency (as defined in sections 301 and 302 of title 42, United States Code) shall, by rule, publish the 2015 ozone standards, or any modifications to such standards, in the Federal Register.

(b) Designation Promotion.—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, by rule, publish the 2015 ozone standards, or any modifications to such standards, in the Federal Register.

SEC. 1095. TECHNICAL AND CLERICAL CORRECTIONS.

At the end of title XII, add the following:

SEC. 1097. MEAT OPTIONS.

(a) Definition of a State—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 is located, the Administrator of the Environmental Protection Agency (as defined in sections 301 and 302 of title 42, United States Code) shall, by rule, publish the 2015 ozone standards, or any modifications to such standards, in the Federal Register.

(b) Designation Promotion.—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, by rule, publish the 2015 ozone standards, or any modifications to such standards, in the Federal Register.

SEC. 1096. TECHNICAL AND CLERICAL CORRECTIONS.

At the end of title XII, add the following:

SEC. 1097. MEAT OPTIONS.

(a) Definition of a State—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 is located, the Administrator of the Environmental Protection Agency (as defined in sections 301 and 302 of title 42, United States Code) shall, by rule, publish the 2015 ozone standards, or any modifications to such standards, in the Federal Register.

(b) Designation Promotion.—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, by rule, publish the 2015 ozone standards, or any modifications to such standards, in the Federal Register.

SEC. 1097. MEAT OPTIONS.

(a) Definition of a State—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 is located, the Administrator of the Environmental Protection Agency (as defined in sections 301 and 302 of title 42, United States Code) shall, by rule, publish the 2015 ozone standards, or any modifications to such standards, in the Federal Register.

(b) Designation Promotion.—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, by rule, publish the 2015 ozone standards, or any modifications to such standards, in the Federal Register.

SEC. 1098. TECHNICAL AND CLERICAL CORRECTIONS.

At the end of title XII, add the following:

SEC. 1097. MEAT OPTIONS.

(a) Definition of a State—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 is located, the Administrator of the Environmental Protection Agency (as defined in sections 301 and 302 of title 42, United States Code) shall, by rule, publish the 2015 ozone standards, or any modifications to such standards, in the Federal Register.

(b) Designation Promotion.—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, by rule, publish the 2015 ozone standards, or any modifications to such standards, in the Federal Register.

SEC. 1099. TECHNICAL AND CLERICAL CORRECTIONS.

At the end of title XII, add the following:

SEC. 1097. MEAT OPTIONS.

(a) Definition of a State—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 is located, the Administrator of the Environmental Protection Agency (as defined in sections 301 and 302 of title 42, United States Code) shall, by rule, publish the 2015 ozone standards, or any modifications to such standards, in the Federal Register.

(b) Designation Promotion.—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, by rule, publish the 2015 ozone standards, or any modifications to such standards, in the Federal Register.
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 828H, 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 required 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 contracts which the estimated value of the supplies acquired and services required exceeds $50,000.

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 828H, 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 required proposals for the contract, in serious, repeated, willful, or pervasive discrimination (as defined under Executive Order 13683 (79 Fed. Reg. 57387 (Oct. 2, 2014) (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 $50,000.

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 B of title VIII of division A, 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 to as the “demographic composition”) of the cadets in the four most recent matriculating classes.

(2) The demographic composition of the cadets 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 recruits.

(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 “service academies” means the following:

(1) The United States Military Academy.

(2) The Naval Academy.

(3) The Air Force Academy.

(4) The Coast Guard 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 259(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 COURSES.

Section 83(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 permissible and conservative; and

(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;

(c) (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) that members not be required to violate their religious beliefs while a religious accommodation request is pending in a manner such that—

(1) while a request is pending, the member concerned be permitted to wear articles of faith consistent with the member’s beliefs; and

(2) 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) that religious accommodation requests be approved at the lowest possible level of command and, for appropriate, forwarded to the Secretary of the military department;

(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 1 year after the date of the enactment of this Act, and annually thereafter for the next seven years, the
SECRETARY OF DEFENSEshall 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 received by 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.

(6) 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” 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 title 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 title H of title XII, add the following:


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 title 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 of title VIII of 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).

“(d) CEREMONIAL.—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 V of title XII, add the following:

SEC. 1513. OTHER OVERSEAS CONTINGENCY OPERATIONS.

(a) ADJUSTMENTS.—Section 101(d) of the Bipartisan Budget Act of 2015 (Public Law 114-74; 129 Stat. 887) 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) $1,000,000,000 to address the heroin and opioid crisis, including funding for law enforcement, treatment, and prevention;

(3) $3,500,000,000 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 Lebanon, and for embassy security;

(4) $1,400,000,000 for security and law enforcement needs, including funding for—

(i) the Department of Homeland Security—

(A) the Transportation Security Administration to reduce wait times and improve security;

and

(ii) to hire 2,000 new Customs and Border Protection Officers; and
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 FACILITY.

(a) In general.—Notwithstanding paragraph (6) of section 1074(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 regard to covered beneficiaries described in subsection (b).

(b) Covered beneficiaries described.—Covered beneficiaries described in this subsection are beneficiaries as defined in section 1074(g)(11) of title 10, United States Code, who live more than 40 miles 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 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 how much additional costs would be incurred with 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.

(2) Elements.—The report required by paragraph (1) shall include an assessment of how much additional costs would be incurred with 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 TRANSPORTATION INTO THE UNITED STATES.

Not later than 180 days after the date of 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 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.

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:

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 military 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 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 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 10 a.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