

more resilient. Once again, we will choose love over hate and compassion over intolerance. These are the themes of the LGBT Pride Month, and they cannot be lost in this overwhelming tragedy.

This attack forces us to confront two unpleasant facts about our country: fact one, hateful rhetoric toward the LGBT people and other minority groups is still far too common; fact two, it is far too easy for dangerous people to access assault weapons.

I hope we have the courage to confront these facts and build a safer and stronger America. This is what the victims and their families deserve.

#### SLAUGHTERED INNOCENTS

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

Mr. HIMES. Mr. Speaker, sometime today or tomorrow, this House will hold a moment of silence for 50 mass-sacred Floridians who had their bodies torn apart by a madman with a military-grade weapon.

Silence—that is how the leadership of the most powerful country in the world will respond to this week's massacre of its citizens.

If this Congress had a single moral fiber, we would force ourselves to get to know the slaughtered innocents. We would get to know Cory James Connell, 21 years old and a student at Valencia College, a child with dreams cut short by a madman with a military rifle and—make no mistake—cut short by this Congress' fetish to repeatedly meet bloody tragedy with silence.

Silence—that is what we offer in America that supports many of the things we could do to slow the blood-bath.

Silence.

Not me. Not anymore. I will no longer stand here absorbing the faux concern, contrived gravity, and tepid smugness of a House complicit in the weekly bloodshed.

Sooner or later, the country will hold us accountable for inaction. But as you bow your head and think of what you say to your God, when you are asked what you did to slow the slaughter of innocence, there will be silence.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 10, 2016.

Hon. PAUL D. RYAN,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following mes-

sage from the Secretary of the Senate on June 10, 2016 at 2:44 p.m.:

That the Senate passed without amendment H.R. 2137.

That the Senate passed without amendment H.R. 2212.

That the Senate passed without amendment H.R. 812.

That the Senate passed without amendment H.R. 1762.

With best wishes, I am,  
Sincerely,

KAREN L. HAAS.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 10, 2016.

Hon. PAUL D. RYAN,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on June 10, 2016, at 3:23 p.m., and said to contain a message from the President whereby he submits a copy of a notice filed earlier with the Federal Register continuing the emergency with respect to Belarus. First declared in Executive Order 13405, of June 16, 2006.

With best wishes, I am,  
Sincerely,

KAREN L. HAAS,  
*Clerk of the House.*

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE ACTIONS AND POLICIES OF CERTAIN MEMBERS OF THE GOVERNMENT OF BELARUS AND OTHER PERSONS TO UNDERMINE BELARUS'S DEMOCRATIC PROCESSES OR INSTITUTIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114-141)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions

that was declared in Executive Order 13405 of June 16, 2006, is to continue in effect beyond June 16, 2016.

The actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions, to commit human rights abuses related to political repression, and to engage in public corruption continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13405 with respect to Belarus.

BARACK OBAMA,  
THE WHITE HOUSE, June 10, 2016.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:30 p.m. today.

Accordingly (at 2 o'clock and 9 minutes p.m.), the House stood in recess.

□ 1630

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. NEWHOUSE) at 4 o'clock and 30 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

#### NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT MODERNIZATION ACT OF 2016

Mr. LAHOOD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5312) to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Networking and Information Technology Research and Development Modernization Act of 2016".

#### SEC. 2. PURPOSES.

Section 3 of the High-Performance Computing Act of 1991 (15 U.S.C. 5502) is amended—

(1) in the matter preceding paragraph (1), by striking "high-performance computing"

and inserting “networking and information technology”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “expanding Federal support for research, development, and application of high-performance computing” and inserting “supporting Federal research, development, and application of networking and information technology”;

(B) in subparagraph (A), by striking “high-performance computing” both places it appears and inserting “networking and information technology”;

(C) by striking subparagraphs (C) and (D);

(D) by inserting after subparagraph (B) the following:

“(C) stimulate research on and promote more rapid development of high-end computing systems software and applications software;”;

(E) by redesignating subparagraphs (E) through (H) as subparagraphs (D) through (G), respectively;

(F) in subparagraph (D), as so redesignated, by inserting “high-end” after “the development of”;

(G) in subparagraphs (E) and (F), as so redesignated, by striking “high-performance computing” each place it appears and inserting “networking and information technology”; and

(H) in subparagraph (G), as so redesignated, by striking “high-performance” and inserting “high-end”;

(3) in paragraph (2)—

(A) by striking “high-performance computing and” and inserting “networking and information technology and”; and

(B) by striking “high-performance computing network” and inserting “networking and information technology”.

### SEC. 3. DEFINITIONS.

Section 4 of the High-Performance Computing Act of 1991 (15 U.S.C. 5503) is amended—

(1) by striking paragraphs (3) and (5);

(2) by redesignating paragraphs (1), (2), (4), (6), and (7) as paragraphs (2), (3), (5), (7), and (8), respectively;

(3) by inserting before paragraph (2), as so redesignated, the following new paragraph:

“(1) ‘cyber-physical systems’ means physical or engineered systems whose networking and information technology functions and physical elements are deeply integrated and are actively connected to the physical world through sensors, actuators, or other means to perform monitoring and control functions;”;

(4) in paragraph (3), as so redesignated, by striking “high-performance computing” and inserting “networking and information technology”;

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

“(4) ‘high-end computing’ means the most advanced and capable computing systems, including their hardware, storage, networking and software, encompassing both massive computational capability and large-scale data analytics;”;

(6) by inserting after paragraph (5), as so redesignated, the following new paragraph:

“(6) ‘networking and information technology’ means high-end computing, communications, and information technologies, high-capacity and high-speed networks, special purpose and experimental systems, high-end computing systems software and applications software, and the management of large data sets;”;

(7) in paragraph (7), as so redesignated, by striking “National High-Performance Computing Program” and inserting “Networking and Information Technology Research and Development Program”.

### SEC. 4. TITLE I HEADING.

The heading of title I of such Act (15 U.S.C. 5511 et seq.) is amended by striking “HIGH-PERFORMANCE COMPUTING” and inserting “NETWORKING AND INFORMATION TECHNOLOGY”.

### SEC. 5. NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT PROGRAM.

Section 101 of the High-Performance Computing Act of 1991 (15 U.S.C. 5511) is amended—

(1) in the section heading, by striking “NATIONAL HIGH-PERFORMANCE COMPUTING PROGRAM” and inserting “NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT PROGRAM”;

(2) in subsection (a)—

(A) in the subsection heading, by striking “NATIONAL HIGH-PERFORMANCE COMPUTING PROGRAM” and inserting “NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT”;

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “National High-Performance Computing Program” and inserting “Networking and Information Technology Research and Development Program”;

(ii) in subparagraph (A), by striking “high-performance computing, including networking” and inserting “networking and information technology”;

(iii) in subparagraphs (B) and (G), by striking “high-performance” each place it appears and inserting “high-end”;

(iv) in subparagraph (C), by striking “high-performance computing and networking” and inserting “high-end computing, distributed, and networking”;

(v) by amending subparagraph (D) to read as follows:

“(D) provide for efforts to increase software security and reliability;”;

(vi) in subparagraph (H)—

(I) by inserting “support and guidance” after “provide”; and

(II) by striking “and” after the semicolon;

(vii) in subparagraph (I)—

(I) by striking “improving the security” and inserting “improving the security, reliability, and resilience”; and

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

(viii) by adding at the end the following new subparagraphs:

“(J) provide for increased understanding of the scientific principles of cyber-physical systems and improve the methods available for the design, development, and operation of cyber-physical systems that are characterized by high reliability, safety, and security;

“(K) provide for research and development on human-computer interactions, visualization, and big data;

“(L) provide for research and development on the enhancement of cybersecurity; and

“(M) provide for a research framework to leverage cyber-physical systems, high capacity and high speed communication networks, and large-scale data analytics to integrate city-scale information technology and physical infrastructures.”;

(C) in paragraph (2)—

(i) by amending subparagraph (A) to read as follows:

“(A) establish the goals and priorities for Federal networking and information technology research, development, education, and other activities;”;

(ii) by amending subparagraph (C) to read as follows:

“(C) provide for interagency coordination of Federal networking and information technology research, development, education, and other activities undertaken pursuant to the Program;”;

(iii) by amending subparagraph (E) to read as follows:

“(E) encourage and monitor the efforts of the agencies participating in the Program to allocate the level of resources and management attention necessary to ensure that the strategic plan under subsection (e) is developed and executed effectively and that the objectives of the Program are met; and”;

(iv) in subparagraph (F), by striking “high-performance” and inserting “high-end”;

(D) in paragraph (3)—

(i) by redesignating subparagraphs (B), (C), (D), and (E) as subparagraphs (E), (F), (G), and (J), respectively;

(ii) by inserting after subparagraph (A) the following new subparagraphs:

“(B) provide, as appropriate, a list of the senior steering groups and strategic plans that are planned or underway as addressed under section 104;

“(C) provide a description of workshops and other activities conducted under section 104, including participants and findings;

“(D) provide a detailed description of the nature and scope of research infrastructure designated as such under the Program;”;

(iii) in subparagraph (E), as so redesignated—

(I) by redesignating clauses (vii) through (xi) as clauses (viii) through (xii), respectively; and

(II) by inserting after clause (vi) the following:

“(vii) the Department of Homeland Security;”;

(iv) in subparagraph (F), as so redesignated—

(I) by striking “is submitted,” and inserting “is submitted, the levels for the previous fiscal year;”;

(II) by striking “each Program Component Area;” and inserting “each Program Component Area and research area supported in accordance with section 103;”;

(v) by amending subparagraph (G), as so redesignated, to read as follows:

“(G) describe the levels of Federal funding for each agency and department participating in the Program, and for each Program Component Area, for the fiscal year during which such report is submitted, the levels for the previous fiscal year, and the levels proposed for the fiscal year with respect to which the budget submission applies;”;

(vi) by inserting after subparagraph (G), as so redesignated, the following:

“(H) include a description of how the objectives for each Program Component Area, and the objectives for activities that involve multiple Program Component Areas, relate to the objectives of the Program identified in the strategic plan required under subsection (e);

“(I) include—

(i) a description of the funding required by the National Coordination Office to perform the functions specified under section 102(b) for the current fiscal year;

(ii) a description of the estimated funding required by such Office to perform the functions specified under section 102(b) for the next fiscal year; and

(iii) the amount of funding provided for such Office for the current fiscal year by each agency participating in the Program; and”;

(3) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A)—

(i) by striking “high-performance computing” both places it appears and inserting “networking and information technology”; and

(ii) after the first sentence, by inserting the following: “Each chair of the advisory committee shall meet the qualifications of

committee membership and may be a member of the President's Council of Advisors on Science and Technology.”;

(B) in paragraph (1)(D), by striking “high-performance computing, networking technology, and related software” and inserting “networking and information technology”; and

(C) in paragraph (2)—

(i) in the second sentence, by striking “2” and inserting “3”;

(ii) by striking “Committee on Science and Technology” and inserting “Committee on Science, Space, and Technology”; and

(iii) by striking “The first report shall be due within 1 year after the date of enactment of the America COMPETES Act.”;

(4) in subsection (c)(1)(A), by striking “high-performance computing” and inserting “networking and information technology”; and

(5) by adding at the end the following new subsections:

“(d) PERIODIC REVIEWS.—The agencies identified in subsection (a)(3)(B) shall—

“(1) periodically assess and update, as appropriate, the contents, scope, and funding levels of the Program Component Areas and work through the National Science and Technology Council and with the assistance of the National Coordination Office described under section 102 to restructure the Program when warranted, taking into consideration any relevant recommendations of the advisory committee established under subsection (b); and

“(2) working through the National Science and Technology Council and with the assistance of the National Coordination Office described under section 102, ensure that the Program includes large-scale, long-term, interdisciplinary research and development activities, including activities described in section 103.

“(e) STRATEGIC PLAN.—

“(1) IN GENERAL.—The agencies identified in subsection (a)(3)(B), working through the National Science and Technology Council and with the assistance of the National Coordination Office described under section 102, shall develop, within 12 months after the date of enactment of the Networking and Information Technology Research and Development Modernization Act of 2016, and update every five years thereafter, a five-year strategic plan for the Program.

“(2) CONTENTS.—The strategic plan shall specify near-term and long-term cross-cutting objectives for the Program, the anticipated time frame for achieving the near-term objectives, the metrics to be used for assessing progress toward the objectives, and how the Program will—

“(A) address long-term challenges of national importance for which solutions require large-scale, long-term, interdisciplinary research and development;

“(B) encourage and support mechanisms for interdisciplinary research and development in networking and information technology and for Grand Challenges, including through collaborations across agencies, across Program Component Areas, with industry, with Federal laboratories (as defined in section 4 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3703)), and with international organizations;

“(C) foster the transfer of research and development results into new technologies and applications in the national interest, including through cooperation and collaborations with networking and information technology research, development, and technology transition initiatives supported by the States;

“(D) provide for cyberinfrastructure needs, as appropriate, across federally funded large-scale research facilities that produce or will produce large amounts of data that will need

to be stored, curated, and made publicly available;

“(E) strengthen all levels of networking and information technology education and training programs to ensure an adequate, well-trained workforce; and

“(F) attract individuals identified in sections 33 and 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a and 1885b) to networking and information technology fields.

“(3) RECOMMENDATIONS.—The entities involved in developing the strategic plan under paragraph (1) shall take into consideration the recommendations—

“(A) of the advisory committee established under subsection (b);

“(B) of the Committee on Science and relevant subcommittees of the National Science and Technology Council; and

“(C) of the stakeholders whose input was solicited by the National Coordination Office, as required under section 102(b)(3).

“(4) REPORT TO CONGRESS.—The Director of the National Coordination Office shall transmit the strategic plan required under paragraph (1) to the advisory committee, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.”.

#### SEC. 6. NATIONAL COORDINATION OFFICE.

Section 102 of such Act (15 U.S.C. 5512) is amended to read as follows:

##### “SEC. 102. NATIONAL COORDINATION OFFICE.

“(a) OFFICE.—The Director shall maintain a National Coordination Office with a Director and full-time staff.

“(b) FUNCTIONS.—The National Coordination Office shall—

“(1) provide technical and administrative support to—

“(A) the agencies participating in planning and implementing the Program, including such support as needed in the development of the strategic plan under section 101(e); and

“(B) the advisory committee established under section 101(b), as appropriate;

“(2) serve as the primary point of contact on Federal networking and information technology activities for government organizations, academia, industry, professional societies, State computing and networking technology programs, interested citizen groups, and others to exchange technical and programmatic information;

“(3) solicit input and recommendations from a wide range of stakeholders during the development of each strategic plan required under section 101(e) and the scope of the Program Component Areas through the convening of at least one workshop with invitees from academia, industry, Federal laboratories, and other relevant organizations and institutions;

“(4) conduct and increase outreach, including to academia, industry, other relevant organizations and institutions, and the public, in order to increase awareness of the Program and the benefits of the Program and to increase potential opportunities for collaboration between agencies participating in the Program and the private sector; and

“(5) promote access to and early application of the technologies, innovations, and expertise derived from Program activities to agency missions and systems across the Federal Government and to United States industry.

“(c) SOURCE OF FUNDING.—

“(1) IN GENERAL.—The operation of the National Coordination Office shall be supported by funds from each agency participating in the Program, subject to the availability of appropriations for such purpose.

“(2) SPECIFICATIONS.—The portion of the total budget of such Office that is authorized

to be provided by each agency for each fiscal year shall be in the same proportion as each such agency's share of the total budget for the Program for the previous fiscal year, as specified in the report required under section 101(a)(3).

“(3) WAIVER.—As appropriate, the Director may consider and approve a reduction or waiver of an agency contribution requirement under paragraph (2).”.

#### SEC. 7. NEXT GENERATION INTERNET.

Section 103 of such Act (15 U.S.C. 5513) is repealed.

#### SEC. 8. GRAND CHALLENGES IN AREAS OF NATIONAL IMPORTANCE.

Title I of such Act (15 U.S.C. 5511 et seq.) is amended by adding at the end the following new section:

##### “SEC. 103. GRAND CHALLENGES IN AREAS OF NATIONAL IMPORTANCE.

“(a) IN GENERAL.—The Program shall encourage agencies identified in section 101(a)(3)(E) to support large-scale, long-term, interdisciplinary research and development activities in networking and information technology directed toward agency mission areas that have the potential for significant contributions to national economic competitiveness and for other significant societal benefits. Such activities, ranging from basic research to the demonstration of technical solutions, shall be designed to advance the development of fundamental discoveries. The advisory committee established under section 101(b) shall make recommendations to the Program for candidate research and development areas for support under this section.

“(b) CHARACTERISTICS.—

“(1) IN GENERAL.—Research and development activities under this section shall—

“(A) include projects selected on the basis of applications for support through a competitive, merit-based process;

“(B) involve collaborations among researchers in institutions of higher education and industry, and may involve nonprofit research institutions and Federal laboratories, as appropriate;

“(C) leverage Federal investments through collaboration with related State and private sector initiatives; and

“(D) include a plan for fostering the transfer of research discoveries and the results of technology demonstration activities, including from institutions of higher education and Federal laboratories, to industry for commercial development.

“(2) COST-SHARING.—In selecting applications for support, the agencies may give special consideration to projects that include cost sharing from non-Federal sources.

“(3) AGENCY COLLABORATION.—If two or more agencies identified in section 101(a)(3)(E), or other appropriate agencies, are working on large-scale networking and information technology research and development activities in the same area of national importance, then such agencies shall strive to collaborate through joint solicitation and selection of applications for support and subsequent funding of projects.

“(4) INTERDISCIPLINARY RESEARCH CENTERS.—Research and development activities under this section may be supported through interdisciplinary research centers that are organized to investigate basic research questions and carry out technology demonstration activities in areas described in subsection (a). Research may be carried out through existing interdisciplinary centers.”.

#### SEC. 9. WORKSHOPS AND SENIOR STEERING GROUPS.

Title I of such Act (15 U.S.C. 5511 et seq.) is amended further by adding after section 103, as added by section 8 of this Act, the following new section:

**SEC. 104. ADDRESSING EMERGING ISSUES.**

“(a) IN GENERAL.—In order to address emerging issues, the Director of the National Coordination Office may conduct workshops and other activities on research areas of emerging importance, which may include the grand challenge areas identified under section 103, with participants from institutions of higher education, Federal laboratories, and industry, in order to help guide Program investments and strategic planning in those areas, including areas identified in subsection (b).

“(b) FOCUS AREAS.—In selecting research areas under subsection (a), the Director of the National Coordination Office shall consider the following topics:

“(1) Data analytics to identify the current and future state of performing inference, prediction, and other forms of analysis of data, and methods for the collection, management, preservation, and use of data.

“(2) The current and future state of the science, engineering, policy, and social understanding of privacy protection.

“(3) The current and future state of fundamental research on the systems and science of the interplay of people and computing as well as the coordination and support being undertaken in areas such as social computing, human-robot interaction, privacy, and health-related aspects in human-computer systems.

“(c) FUNCTIONS.—The participants in the workshops shall, as appropriate—

“(1) develop options for models for research and development partnerships among institutions of higher education, Federal laboratories, and industry, including mechanisms for the support of research and development carried out under these partnerships;

“(2) develop options for research and development for the specific issue areas that would be addressed through such partnerships;

“(3) propose guidelines for assigning intellectual property rights and for the transfer of research results to the private sector; and

“(4) make recommendations for how Federal agencies participating in the Program can help support research and development partnerships for the specific issue areas.

“(d) PARTICIPANTS.—The Director of the National Coordination Office shall ensure that the participants in the workshops—

“(1) are individuals with knowledge and expertise in the specific issue areas; and

“(2) represent a broad mix of relevant stakeholders, including academic and industry researchers and, as appropriate, Federal agencies.

“(e) SENIOR STEERING GROUPS AND STRATEGIC PLANS.—As appropriate, the Director of the National Coordination Office shall establish senior steering groups and develop focused strategic plans to coordinate and guide activities under the research areas identified under this section, taking into consideration the findings and recommendations from any workshops carried out on those research topics.”.

**SEC. 10. NATIONAL SCIENCE FOUNDATION ACTIVITIES.**

Section 201 of such Act (15 U.S.C. 5521) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “high-end” after “National Science Foundation shall provide”; and

(ii) by striking “high-performance computing” and all that follows through “networking;” and inserting “networking and information technology; and”;

(B) by striking paragraphs (2) through (4); and

(C) by inserting after paragraph (1) the following new paragraph:

“(2) the National Science Foundation shall use its existing programs, in collaboration

with other agencies, as appropriate, to improve the teaching and learning of networking and information technology at all levels of education and to increase participation in networking and information technology fields, including by individuals identified in sections 33 and 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a and 1885b).”; and

(2) by striking subsection (b).

**SEC. 11. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION ACTIVITIES.**

Section 202 of such Act (15 U.S.C. 5522) is amended—

(1) by striking subsection (b);

(2) by striking “(a) GENERAL RESPONSIBILITIES.—”; and

(3) by striking “high-performance computing” and inserting “networking and information technology”.

**SEC. 12. DEPARTMENT OF ENERGY ACTIVITIES.**

Section 203 of such Act (15 U.S.C. 5523) is amended—

(1) by striking subsection (b);

(2) by striking “(a) GENERAL RESPONSIBILITIES.—”; and

(3) in paragraph (1), by striking “high-performance computing and networking” and inserting “networking and information technology”; and

(4) in paragraph (2)(A), by striking “high-performance” and inserting “high-end”.

**SEC. 13. DEPARTMENT OF COMMERCE ACTIVITIES.**

Section 204 of such Act (15 U.S.C. 5524) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking “high-performance computing systems and networks” and inserting “networking and information technology systems and capabilities”; and

(B) in subparagraph (B), by striking “interoperability of high-performance computing systems in networks and for common user interfaces to systems” and inserting “interoperability and usability of networking and information technology systems”; and

(C) in subparagraph (C), by striking “high-performance computing” and inserting “networking and information technology”;

(2) in subsection (b)—

(A) in the heading, by striking “HIGH-PERFORMANCE COMPUTING AND NETWORK” and inserting “NETWORKING AND INFORMATION TECHNOLOGY”;

(B) by striking “Pursuant to the Computer Security Act of 1987 (Public Law 100-235; 101 Stat. 1724), the” and inserting “The”; and

(C) by striking “sensitive”; and

(3) by striking subsections (c) and (d).

**SEC. 14. ENVIRONMENTAL PROTECTION AGENCY ACTIVITIES.**

Section 205 of such Act (15 U.S.C. 5525) is amended—

(1) by striking subsection (b);

(2) by striking “(a) GENERAL RESPONSIBILITIES.—”; and

(3) by striking “basic and applied”; and

(4) by striking “computational” and inserting “networking and information technology”; and

(5) by inserting “All software and code, along with any subsequent updates to the software and code, developed by the Environmental Protection Agency under the Program and used in conducting scientific research shall be made publically available. In cases where the underlying software or code is proprietary or contains confidential business information, the Agency shall disclose only the name and vendor of the software and code used for all proprietary or confidential business information portions of the software or code. The Environmental Protection Agency shall ensure that the research conducted under the Program does not dupli-

cate the scope or aims of similar research and initiatives at other Federal agencies. No Environmental Protection Agency funds shall be used towards research that duplicates the scope or aims of similar research and initiatives at other Federal agencies.” after “dynamics models.”.

**SEC. 15. ROLE OF THE DEPARTMENT OF EDUCATION.**

Section 206 of such Act (15 U.S.C. 5526) is amended—

(1) by striking subsection (b);

(2) by striking “(a) GENERAL RESPONSIBILITIES.—”; and

(3) by striking “to conduct basic” and all that follows through “software capabilities” and inserting “to support programs and activities to improve the teaching and learning of networking and information technology fields and contribute to the development of a skilled networking and information technology workforce”.

**SEC. 16. MISCELLANEOUS PROVISIONS.**

Section 207(b) of such Act (15 U.S.C. 5527(b)) is amended by striking “high-performance computing” and inserting “networking and information technology”.

**SEC. 17. REPEAL.**

Section 208 of such Act (15 U.S.C. 5528) is repealed.

**SEC. 18. ADDITIONAL REPEAL.**

Section 4 of the Department of Energy High-End Computing Revitalization Act of 2004 (15 U.S.C. 5543) is repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. LAHOOD) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

**GENERAL LEAVE**

Mr. LAHOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 5312, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 5312, the Networking and Information Technology Research and Development Modernization Act of 2016.

First off, I would like to thank Chairman LAMAR SMITH for his hard work in bringing this bill through the House Science, Space, and Technology Committee, and my colleague, Ranking Member EDDIE BERNICE JOHNSON, for her leadership in introducing this bipartisan legislation with me.

The Networking and Information Technology Research and Development Program, also known as the NITRD Program, is the primary Federal research and development investment portfolio in unclassified networking, computing, software, cybersecurity, and related information technologies.

In my district, the NITRD Program supports Federal investment in research at universities like Western Illinois University in Macomb, Illinois, and the Blue Waters supercomputer at the University of Illinois in Urbana, Illinois. NITRD also supports public-private partnerships between high-performance supercomputing and private

corporations like, Caterpillar Corporation, based in Peoria, Illinois.

Information technology is all around us in our day-to-day lives—on our smartphones, in our cars, and in our homes. It improves our way of life, even in ways that are not always visible or apparent. As technology rapidly advances, the need for research and development continues to evolve. The NITRD Program works to prevent duplicative and overlapping efforts in this space, thereby enabling more efficient use of government resources and taxpayer dollars, while also supporting new and innovative research and development efforts at our Nation's universities and through public-private partnerships.

This bill implements several important policies to help lead the way for future technological innovations and modernize the NITRD Program. Specifically, the bill improves the program in the following ways:

First, it establishes a strategic planning and review process for the NITRD investment portfolio, with clear metrics and objectives.

Second, it works to improve interagency as well as government and private sector coordination and communication.

Third, it focuses the NITRD investment portfolio on areas of national interest and increasing importance like data analytics, privacy protection, and human-computer systems.

These changes to current law will reduce bureaucracy and ensure that hardworking Americans' taxpayer dollars are being used efficiently and effectively.

Important to note, this legislation authorizes no new spending.

Smart investments in information technology research and development are crucial for our Nation. Work in related areas bolsters economic competitiveness and creates new industries and businesses; it helps ensure future national security, including cybersecurity; and creates the good-paying jobs we need for today and tomorrow.

As such, I urge my colleagues to support this important piece of legislation to modernize NITRD and streamline Federal research and development investment.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 5312, the Networking and Information Technology Research and Development Modernization Act of 2016.

The bill before us modernizes the original High-Performance Computing Act of 1991. In the 25 years that have passed since that bill established the framework for Federal investment in computing research, networking and information technologies, NIT, has transformed how we communicate with each other, how we get around, how we bank, and how we shop.

NIT has helped provide teachers and students in diverse communities across our Nation access to resources and learning opportunities that were previously out of reach.

NIT has transformed every industry sector, increasing efficiency and productivity, while creating higher skilled, better paying jobs. NIT made possible the decoding of the human genome and has led to myriad improvements in medical diagnostics and treatments.

Over these past 25 years, networking and information technologies have created opportunities across all aspects of our lives that were previously unimaginable. With those opportunities, NIT has also created new challenges for individual and collective safety and security and for our privacy.

Our critical infrastructure, our banks, our commercial enterprises, and our own personal wallets and identities are vulnerable to criminals and state actors alike. Our privacy is being compromised daily, whether we are public figures or private citizens.

We cannot go back to a world before NIT, nor should we. However, while investing in advancements in NIT and its many applications, we must also invest in protecting our security and privacy.

The Networking and Information Technology Research and Development Program, or NITRD, which grew out of the original 1991 High-Performance Computing Act, does just that. The interagency NITRD Program supports a full range of research and development that provides the foundation of scientific understanding and accelerates the development of advanced information technologies, while strengthening cybersecurity and privacy. The program also advances NIT to accelerate discovery in many other areas of science and engineering, from astronomy to biomedical research.

The legislation we are considering today, the Networking and Information Technology Research and Development Modernization Act, continues to strengthen the management, coordination, and oversight of the NITRD Program. It helps ensure that Federal investments in NIT R&D remain at the cutting edge and continuously evolve to include important emerging areas of NIT. In addition, it encourages large-scale interdisciplinary and cross-agency collaborations in "grand challenge" areas of R&D. Finally, the bill encourages strong collaboration and coordination with industry and other stakeholders.

Over time, there have been some amendments to the 1991 Act. H.R. 5312, represents the committee's fourth attempt in as many Congresses to enact a comprehensive modernization of the 25-year-old law.

For the first time since our first effort in 2009, the Senate has proposed draft language of its own. I am hopeful that we can get a NITRD modernization bill to the President's desk before year's end. Given the profound implica-

tions for our economic and national security, NIT is not an area of science and technology for which the U.S. can afford to cede leadership.

I want to thank Representative LAHOOD, Chairman SMITH, and committee staff for an open, collaborative, and good process which has led to a very good bill. I am pleased to be a cosponsor of the bill, and I urge my colleagues to support it.

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

Mr. LAHOOD. Mr. Speaker, I yield 6 minutes to the gentleman from Texas (Mr. SMITH), the chairman of the Science, Space, and Technology Committee.

Mr. SMITH of Texas. Mr. Speaker, first of all, I want to thank the gentleman from Illinois (Mr. LAHOOD) for taking the initiative on this innovation bill. And I am also pleased that the ranking member, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), is a cosponsor of H.R. 5312, the Networking and Information Technology Research and Development Modernization Act of 2016.

Mr. Speaker, in this digital age, advancing and protecting our Nation's computing and networking systems is more important than ever. This legislation ensures that Federal science agencies focus on networking and information technology priorities that are in the national interest, and it provides the coordinating R&D efforts necessary to improve cyber and data security nationwide. Better network security promotes U.S. competitiveness, enhances national security, and creates high-tech jobs.

The NITRD Modernization bill is an update to the High-Performance Computing Act of 1991. The authorized program represents the Federal Government's main R&D portfolio for unclassified advanced networking, computing, software, cybersecurity, and related information technologies.

Currently, 21 Federal agencies are contributing members of NITRD, with many additional agencies participating in the program. This bill serves as the mechanism for interagency coordination of R&D to produce a tighter focus without wasteful duplication of research efforts among Federal agencies or the private sector. This will help save taxpayers' dollars. It also rebalances agency R&D portfolios to focus less on short-term, incremental approaches and much more on large-scale, long-term interdisciplinary research to transform and enable new computing capabilities.

Federal agencies are expected to invest more than \$4.4 billion in fiscal year 2017 on NITRD Program activities. These investments go toward basic research at the frontiers of high-end computing, networking, and information technology. More than \$1.1 billion of this is invested by the National Science Foundation and \$720 million by the Department of Energy.

This taxpayer-funded basic research is intended to keep the United States

the global leader in high-end computing and networking, which is crucial to our future economic and national security. The bill does this by updating and reforming the underlying High-Performance Computing statute to reflect the current mature state of our vibrant computing industry. It also codifies the NITRD National Coordination Office, housed within the National Science Foundation, to oversee the participating agencies.

The NITRD Program has eight strategic priorities for its enabling research: cybersecurity, autonomous robotic systems, high-end computing and applications, exascale computing, human-computer interaction, large-scale networking, workforce development, and software design.

Technologies that develop from these research priorities are used by the commercial sector and the government to protect and enhance emergency communications, the power grid, air traffic control systems, our national energy resources, scientific discovery, human exploration, new product development, and national defense systems.

Advanced networking and information technology supports and boosts American discovery and innovation, improves our international competitiveness, expands the U.S. economy, and, of course, creates millions of jobs.

Mr. Speaker, American job creators also recognize the importance of networking and information technology research and development.

□ 1645

Many industry partners and stakeholders have written letters in support of this bill. They include the Computing Research Association, the Computing Technology Industry Association, the Information Technology Industry Council, and the Texas A&M University System.

As shown by hearings that the House Committee on Science, Space, and Technology has held this Congress, including the most recent on the FDIC, cyber breaches are becoming all too commonplace. This legislation encourages agencies to increase understanding of ways to detect, prevent, and recover from actions that compromise or threaten computer-based systems.

I again thank our Science, Space, and Technology Committee colleague, Representative LAHOOD, for his efforts on this issue, and I also commend Majority Leader McCarthy for his vision in establishing a focused innovation initiative in the House of which this legislation is a part.

Mr. Speaker, again, I urge my colleagues to support H.R. 5312.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have no further requests for time, and I urge a positive vote on the bill.

I yield back the balance of my time.

Mr. LAHOOD. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. LOUDERMILK).

Mr. LOUDERMILK. Mr. Speaker, I thank the gentleman for yielding his time.

Mr. Speaker, I chair the Oversight Subcommittee on the Science, Space, and Technology Committee, and my subcommittee has held numerous hearings on the ever-evolving threat of cyber intrusions.

I also owned and operated an information technology company for more than 20 years, so I know firsthand the importance of safeguarding sensitive information and private customer data. Regrettably, as we have seen through many unfortunate examples, the American people have good reason to question whether their private information is being properly secured.

That is why I am pleased to support H.R. 5312, the Networking and Information Technology Research and Development Modernization Act of 2016. This legislation ensures that Federal science agencies focus on networking and information technology priorities that are in the national interest, and also provides the coordinated research and development efforts necessary to improve cyber and data security nationwide.

The bill also encourages agencies to increase understanding of ways to detect, prevent, and recover from actions that threaten computer systems. This legislation will help stimulate innovation in the technology sector and will enable our Nation to better understand and secure its systems for the future.

I thank my Science, Space, and Technology Committee colleague (Mr. LAHOOD) for his work on this issue, and I urge my colleagues to support the bill.

Mr. LAHOOD. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS), my colleague and friend from Illinois.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I thank my friend and colleague, Mr. LAHOOD, Chairman SMITH, and Ranking Member EDDIE BERNICE JOHNSON.

This is a piece of legislation that may not get a lot of publicity, but it is essential to our research capabilities and supercomputing capabilities for our future right here in this country. The United States of America needs to continue to lead in this arena.

Who would have thought that while they were writing the High Performance Computing Act of 1991, it would have to be amended because of innovation that we have seen at many of our universities throughout this great country.

I am obviously in support of H.R. 5312 because it is going to streamline Federal investment in high-end computing, benefiting local entities in Illinois that use advanced technologies, such as the University of Illinois in my district, Caterpillar, and Western Illinois University that is served so well by Congressman LAHOOD.

This legislation ensures that the University of Illinois, the home to nation-

ally recognized scientists and the Blue Waters Supercomputer, can continue to be the leader that they are in the fields of networking and computing.

The National Center for Supercomputing Applications at the University of Illinois at Urbana-Champaign is funded by many Federal agencies and has an impressive history of providing integrated cyber infrastructure to scientists, engineers, and scholars across the country.

Addressing complex problems in today's science and society requires expertise and engagement from multiple disciplines. NCSA is committed to continuing to serve as a central hub for transdisciplinary teams to unite in making technological advancements. These important research programs are critical for coordinating Federal research and fostering revolutionary breakthroughs in computing, networking, software, and cybersecurity.

By streamlining the NITRD Program, we can ensure U.S. competitiveness in advanced technologies while improving collaboration between Federal agencies, national laboratories, private industry, and academia.

Mr. Speaker, this bill is an effective use of taxpayer dollars.

Mr. LAHOOD. Mr. Speaker, I include in the RECORD the letters of support mentioned by Chairman SMITH, including the letter from the University of Illinois.

Mr. Speaker, I urge support for H.R. 5312.

I yield back the balance of my time.

UNIVERSITY OF ILLINOIS,  
Champaign, IL, June 13, 2016.

Hon. DARIN LAHOOD,  
House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVE LAHOOD: The University of Illinois at Urbana-Champaign (Urbana) is pleased to endorse H.R. 5312, the Networking and Information Technology Research and Development (NITRD) Modernization Act of 2016.

The NITRD program plays a critical role in coordinating federal investments in Information Technology (IT) research and development to better enable and equip research communities in addressing complex grand challenges in science, engineering, and society.

Coordination and integration is increasingly important in the IT ecosystem. This is particularly true for high performance computing (HPC) and Big Data. At Urbana, the National Center for Supercomputing Applications (NCSA) serves as a world-class hub of transdisciplinary research and digital scholarship in which collaborators from across the globe unite to solve real-world problems. NCSA leads the two single largest National Science Foundation (NSF) investments in high-end computing and data analysis—the NSF Blue Waters supercomputer, the most powerful supercomputer in the academic world, and the NSF Extreme Science and Engineering Discovery Environment (XSEDE) project, which provides collaborative and shared computing services to the HPC community. These two computing projects support thousands of researchers from across the nation whose research is funded separately by numerous federal agencies. By providing unique science capabilities, these facilities are catalyzing significant discoveries.



In this highly competitive world, we applaud your efforts to lead this legislation to maintain U.S. leadership in research and innovation.

Sincerely,

BARBARA J. WILSON,  
*Interim Chancellor.*

OFFICE OF THE CHANCELLOR,  
THE TEXAS A&M UNIVERSITY SYSTEM,  
*College Station, TX, June 8, 2016.*

Hon. LAMAR SMITH,  
*Chairman, House Committee on Science, Space, and Technology, Washington, DC.*

DEAR CHAIRMAN SMITH: Thank you for your leadership in advancing the bipartisan Networking and Information Technology Research and Development (NITRD) Modernization Act of 2016. As our nation and its citizens become increasingly connected through information technology, the need to reauthorize this critical program is evident.

We especially applaud the Committee for updating the program to focus on large-scale, long-term transformative interdisciplinary research. We face growing challenges that are complex and interrelated—from cybersecurity threats to human interfaces with information technology—that require new approaches to research and development. To this end, we are also pleased to see an increased focus in this legislation on Grand Challenges and cyber security needs.

As a leader in cybersecurity and information technology research and education, Texas A&M University is proud to partner with industry and Federal agencies to provide solutions to some of our nation's most vexing issues. The National Security Agency (NSA) and the Department of Homeland Security (DHS) designated Texas A&M University as a National Center of Academic Excellence, both in education and in research. This well-regarded designation places Texas A&M among a select group of only 30 universities that have earned both distinctions. Further the Texas A&M Engineering Extension Service (TEEX) provides a wide variety of online cybersecurity training for community leaders and businesses from cyberlaw and white collar crime to ethics to risk management and network vulnerability assessment. Given the rapidly expanding workforce needs in this area, Texas A&M prides itself on preparing students and professionals to keep our nation competitive.

We are grateful for your leadership of the Science Committee and the work that you have put into this legislation. We look forward to continuing our work with you in the coming months and years.

Sincerely,

JOHN SHARP,  
*Chancellor.*

INFORMATION TECHNOLOGY  
INDUSTRY COUNCIL,  
*Washington, DC, June 10, 2016.*

Re H.R. 5312, the Networking and Information Technology Research and Development Modernization Act of 2016

Hon. PAUL D. RYAN,  
*Speaker of the House, House of Representatives, Washington, DC.*

Hon. NANCY PELOSI,  
*Democratic Leader, House of Representatives, Washington, DC.*

DEAR SPEAKER RYAN AND LEADER PELOSI: On behalf of the 60 members of the Information Technology Industry Council (ITI), I write to express our support for H.R. 5312, the Networking and Information Technology Research and Development (NITRD) Modernization Act of 2016.

The NITRD Program ensures the proper coordination of unclassified networking and information technology (NIT) research and development (R&D) across multiple federal agencies. More specifically, the Program

aims to avoid investment redundancies, as well as increase interoperability in supercomputing, high-speed networking, cybersecurity, software engineering, and information management. However, since its inception in 1991, there have been unprecedented technological advances that are not currently addressed in the Program's overall structure. H.R. 5312 comprehensively modernizes the Program by updating essential terminology throughout the underlying law; addressing new areas of NIT research; and encouraging large-scale, long-term, interagency research in critical areas such as data analytics, social computing, human-robot interaction, privacy, and health technology.

The Program plays a key role in supporting continuous federal research in various aspects related to computing, including cybersecurity. Promoting greater federal R&D in cybersecurity is essential for securing our country's digital infrastructure. Consequently, we urge you to support the NITRD Modernization Act when it comes to the floor for a vote.

Sincerely,

DEAN C. GARFIELD,  
*President and CEO.*

COMPUTING RESEARCH ASSOCIATION,  
*Washington, DC, May 23 2016.*

Hon. LAMAR SMITH,  
*Chairman, House Science, Space, and Technology Committee, Washington, DC.*

Hon. EDDIE BERNICE JOHNSON,  
*Ranking Member, House Science, Space, and Technology Committee, Washington, DC.*

CHAIRMAN SMITH, RANKING MEMBER JOHNSON: As an organization representing over 240 industry and academic institutions involved in computing research and six affiliated professional societies, the Computing Research Association is pleased to support your efforts to bolster Federal information technology research through the Networking and Information Technology Research and Development Modernization Act of 2016.

As you are aware, advances in information technology are transforming all aspects of our lives. Virtually every human endeavor today has been touched by information technology, including commerce, education, employment, health care, energy, manufacturing, governance, national security, communications, the environment, entertainment, science and engineering. The profound reach of IT is enabled in large part by the innovations that spawn from the IT research ecosystem—that incredibly productive, yet complex interplay of industry, universities and the Federal government. Indeed, nearly every sub-sector of the IT economy today bears the stamp of Federal support. The program responsible for overseeing this crucial investment is the Networking and Information Technology Research and Development (NITRD) program.

We believe this Act makes the NITRD program stronger by improving the planning and coordination of the National Coordination Office for NITRD, requiring that the NCO and the NITRD agencies create a five-year strategic plan for the program, and requiring the periodic review and assessment of the program contents and funding. All have been recommendations of the President's Council of Advisors for Science and Technology in their recent reviews of the program.

We thank you for your work on this legislation and for your long-standing support of the Federal investment in IT research. We look forward to working with you and your colleagues as you endeavor to move the legislation forward this session.

Sincerely,

SUSAN B. DAVIDSON,  
*Chair, Board of Directors.*

COMPTIA,

*Washington, DC, June 13, 2016.*

CHRIS SHANK,  
*Policy and Coalitions Director,  
House Science, Space, and Technology Committee, Washington, DC.*

CHRIS: Thank you for providing ComptIA the opportunity to lend our support to the Networking and Information Technology Research and Development (NITRD) Modernization Act of 2016 (H.R. 5312).

As stated on the NITRD website, "the multiagency NITRD Program seeks to provide the research and development (R&D) foundations for assuring continued U.S. technological leadership and meeting the needs of the Federal Government for advanced information technologies." ComptIA strongly supports the Act as it assures that NITRD continues to receive the funding necessary to help drive innovation through the scientific community. ComptIA also supports the development of a national coordination office to ensure improved communication within the NITRD ecosystem. Finally, ComptIA supports the focus on Grand Challenges that correlates with the NITRD portfolio.

Best Regards,

DAVID LOGSDON,  
*Senior Director,  
Public Advocacy.*

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. LAHOOD) that the House suspend the rules and pass the bill, H.R. 5312, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

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

The yeas and nays were ordered.

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

#### FOIA IMPROVEMENT ACT OF 2016

Mr. MEADOWS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 337) to improve the Freedom of Information Act.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 337

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "FOIA Improvement Act of 2016".

#### SEC. 2. AMENDMENTS TO FOIA.

Section 552 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking "for public inspection and copying" and inserting "for public inspection in an electronic format";

(ii) by striking subparagraph (D) and inserting the following:

"(D) copies of all records, regardless of form or format—

"(i) that have been released to any person under paragraph (3); and

"(ii) (I) that because of the nature of their subject matter, the agency determines have become or are likely to become the subject