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House of Representatives

The House was not in session today. Its next meeting will be held on Friday, July 1, 2016, at 9 a.m.

Senate

WEDNESDAY, JUNE 29, 2016

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God, our deliverer, as the tragedy in Turkey reminds us of the dangerous, discordant, and demonic forces in our world, we look to You, our light and salvation. Show us how to please You as we remember that righteousness exalts a nation, and sin destroys.

May our lawmakers make obedience to You the bottom line in their labors. Teach them to know and comply with Your commands as they never forget that obedience brings blessings. Lord, give them the wisdom to make an absolute commitment to honor You above all else. Provide them with the strength to defeat temptation as they remember that You provide a way of escape from every test. Equip them for whatever task and challenges they must tackle.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. PAUL). The majority leader is recognized.

TERROR ATTACK IN ISTANBUL

Mr. MCCONNELL. Mr. President, yesterday our NATO ally Turkey suffered a devastating terror attack at Istanbul's main airport that quickly brought to mind ISIL's attack in Brussels earlier this year.

We do not know yet if this attack was launched by ISIL or the PKK, but we do know that our intelligence community will do all it can to help the Turks combat terrorism and defeat this threat. As CIA Director John Brennan reminded us all earlier this month, ''[D]espite all of our progress against ISIL on the battlefield and in the financial realm, our efforts have not reduced the group's terrorism capability and its global reach.''

In recent days Turkey has taken diplomatic steps to improve bilateral relations with Russia and Israel, and now the United States must extend its hand to our NATO partners and assure them that we will stand with them in the face of this attack and work together to defeat ISIL.

ZIKA VIRUS AND VA–MILCON FUNDING BILL

Mr. MCCONNELL. Mr. President, let me read some headlines.

''Senate Democrats block Zika agreement ahead of recess.''

''Senate Dems block House Zika funding.''

That last article goes on to say: ''Senate Democrats . . . blocked a critical funding measure needed to combat the spreading Zika virus, a move that will now make it impossible for Congress to send legislation to President Obama before July 4.''

Our Democratic friends are working hard to spin this, but families don't want excuses, they want action. Yesterday, Senate Democrats listened to the demands of a partisan special interest group and turned their backs on women's health and fighting Zika. First, they demanded congressional action on Zika. Then, in the midst of mosquito season, Democrats chose partisan politics over $1.1 billion in critical funds to protect pregnant women and babies from Zika—after the Democrats voted for the same $1.1 billion funding level just last month.

Yesterday, Senate Democrats listened to the demands of a partisan special interest group and turned their backs on supporting our veterans. First, they demanded more funding for veterans. Then, just before the Fourth of July, Democrats chose partisan politics over significantly increasing resources for veterans' health care.

In the coming days, Democrats will hear from constituents back home who want to know what they are doing to keep them safe from the threat of Zika and what they are doing to support our veterans. Democrats will have to explain why they chose not to do their job and instead blocked funding for the Zika crisis and for our Nation's heroes.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

I have moved to reconsider the legislation, and we will give everybody on the other side a chance to think about that during the Fourth of July. We will get back to that when we get back.

PUERTO RICO

Mr. MCCONNELL. Mr. President, the U.S. territory of Puerto Rico is in crisis. It owes billions of dollars in debt, and without prompt congressional action, it could be forced to leave residents without essential services such as hospitals and public safety resources. If we don't act before the island misses a critical debt payment deadline this Friday, matters will only get a lot worse—for Puerto Rico and for taxpayers. President Obama's Treasury Secretary warns that Puerto Rico could be forced to ''lay off police officers, shut down public transit, and close medical facilities.'' This could very well result in a taxpayer-funded bailout.

Today, however, we have an opportunity to help Puerto Rico in the face of this crisis and prevent a taxpayer bailout by passing the responsible bipartisan bill before us. This bill will not cost taxpayers a dime—not a dime. What it will do is help Puerto Rico restructure its financial obligations and provide much needed oversight to put in place needed reforms. It achieves this with an audit of the island's finances and the establishment of what the Washington Post has called ''an impartial panel of experts'' to bring desperately needed transparency and reform to Puerto Rico's fiscal operations.

Puerto Rico currently spends over a third of its budget on debt payments alone. By restructuring Puerto Rico's financial debt and helping reform its operations, this bill will allow the territory to invest more of its resources in growing the economy and creating more opportunities for its residents. Obviously, the bill isn't perfect, but here is why we should support it: It will not cost taxpayers a dime, it prevents a bailout, and it offers Puerto Rico the best chance to return to financial stability and economic growth over the long term, so we can help prevent another financial crisis like this in the future. In short, it is ''just the first step,'' as the Governor of Puerto Rico said, ''in what will be . . . [a] long road to recovery'' for the island. But it is the most responsible, taxpayer-friendly step we can take right now.

So let me remind my colleagues that Puerto Rico faces a critical deadline this Friday, 2 days from today. This is the best and possibly the only action we can take to help Puerto Rico. As Secretary Jack Lew put it, ''[D]oing nothing now to end the debt crisis will result in a chaotic, disorderly unwinding with widespread consequences.'' It is the surest route to both the taxpayer-funded bailout of Puerto Rico and a humanitarian crisis for its people. These are all things we should avoid.

Doing nothing is not an option. We must act now to prevent matters from getting worse. The House already passed this bipartisan bill with the backing of nearly 300 Members. Now it is the Senate's turn to send this to the President's desk immediately.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

ISIS

Mr. REID. Mr. President, often the Republican leader comes to the floor and complains about the battle against ISIS without ever offering a word as to what he would do that is not being done by President Obama and the rest of the allied forces. But let's talk a little bit about the progress that has been made.

Is it all done? Of course not. We are working on that every day. Since the height of the ISIS power, U.S. and coalition forces have captured about 50 percent of the land ISIS once held in Iraq, and they are losing land every day. ISIS has lost 20 percent of the land it held in Syria. Ramadi and Tikrit were key victories for the U.S.-backed Iraqi forces. Iraqi forces captured the city of Fallujah in the last few days and are now working to put out the next pockets of resistance in that key Al Anbar Province town. As we speak, Kurdish, Iraq, and Syrian Democratic forces backed by the U.S. Special Forces are making preparations to retake ISIS's key strongholds in Mosul and Raqqa in Iraq. We have killed more than 25,000 ISIS fighters and 120 key ISIS leaders. We have cut ISIS funds by up to one-third and some say approaching 50 percent. We have drastically slowed the flow of foreign recruits from a high of about 2,000 a month in 2014 to 200 a month today. The same goes for the young Americans who have sought to travel and join ISIS abroad. A year ago, about 10 Americans a month—hard to comprehend that, but it is true—were leaving to join ISIS. That is now numbering about one a month.

At home the FBI is cracking down on recruits. They are doing a good job. It is a tough job. Are they going to be able to get it all done quickly enough? We don't know, but they are doing their best. Over the past 2 years the FBI has arrested 80 individuals on ISIS-related charges. Prosecutions have gone forward, and with rare exception, they have all gone forward successfully.

ZIKA VIRUS AND VA–MILCON FUNDING BILL

Mr. REID. Mr. President, the Republican leader came here yesterday and came here again this morning talking about Zika.

Understand how the House of Representatives works—and stunningly, the Republicans over here accept what they do in the House. In the House of Representatives, they have what is called the Hastert rule, named after a Congressman from Illinois who was the Speaker of the House for a number of years. He created what was called the Hastert rule. What that was is, you had to deal only with legislation that had enough votes to pass it with Republican votes. They didn't want Democrats to be involved, and they are still that way.

Even though Hastert's in prison, they follow the Hastert rule. As a result of that, in the dead of night last week, Republicans in the House—and I mean the dead of the night. Remember the House had been taken over by the House Democrats because they were upset about what had not been done with guns. The event was interrupted for probably less than a minute, and the House was called back into session. The House passed with no discussion whatsoever the conference report dealing with Zika.

As could only be understood by someone understanding what the Hastert rule is, here is what they did. They had to get all the crazies over there—I am sorry to use that term. That is the term Speaker Boehner used, and the more I see of this, I think he had it pretty down pat. They did everything they could to go after all the pet projects of Republicans. They hate Planned Parenthood. They hate it, even though millions of Americans get their care there. This Zika disease causes young women to be concerned about birth control. About one out of every five women will get care at Planned Parenthood at some point in their lives. But what did Republicans do? They said: We are going to restrict funding for birth control provided by Planned Parenthood. Why would they do that? Only to get votes from those crazies over there.

They exempted pesticide spraying from clean water. What we need to do with these mosquitoes—in addition to inventing vaccines and other medicines to fight this plague, we also have to kill the mosquitoes, and we do that by spraying. That works better than anything else. Of course, the Republicans, hating environmental laws, went after the Clean Water Act, which has been in existence for decades.

Just to make sure that they covered all their bases, they whacked veterans funding by $500 million below the Senate bill. Those were for processing claims of veterans. What do we hear complaints about? Processing claims. Well, they took care of that. They want to cut $500 million from Secretary McDonald's budget so he cannot process claims very quickly. It cuts Ebola funding by $107 million and rescinds $543 million from ObamaCare. Just for good measure, I guess they had to make sure they had all the southern votes. They said: What we are going to

do now is strike a prohibition on displaying the Confederate flag. So if they got their way, you could fly Confederate flags on any military cemetery you want. And, of course, it sets a terrible precedent by offsetting emergency spending with offsets like ObamaCare, cutting Ebola money.

We did the right thing. All the press—you might find a headline someplace on some rightwing blog, but the fact is, the Republicans know they failed on funding Zika, and all the press indicates that is the case.

PUERTO RICO

Mr. REID. Mr. President, today we are going to finally consider legislation addressing Puerto Rico's economic crisis.

For the past year and even longer, Democrats in both Houses of Congress have proposed legislation that would empower Puerto Rico to adjust a significant portion of its debt. Every time we have tried, it has been blocked by the Republicans.

As the weeks and months passed without a solution, the situation in Puerto Rico has worsened, and that is an understatement.

In the New York Times this morning, the editorial board stressed the importance of congressional action, and I quote what they said:

> The fiscal crisis in Puerto Rico is also a humanitarian crisis. The Senate now has an opportunity—and the obligation—to address both. It is scheduled to vote on Wednesday on a bill already approved by the House that would restructure the island's debt and could create the conditions for recovery.
>
> If the bill loses, Puerto Rico will default on Friday on a $2 billion debt payment, creditors will keep suing for full repayment and essential services on the island, including health, sanitation, education, electricity, public transportation and public safety, will continue to decline.

The economic crisis is a humanitarian disaster. Medical services have diminished. Hospitals are unable to pay their bills. Puerto Rico's largest hospital has closed two of its wings and reduced the number of beds by 25 percent and cut pay for all employees. Electricity at one hospital, the Santa Rosa Hospital, was suspended for lack of payment. Can you imagine one of our hospitals having to close because the electricity bill can't be paid? Puerto Rico's only air ambulance company had to suspend operations. At the pediatric center in Puerto Rico's primary medical center, pharmaceutical providers are only going to supply chemotherapy drugs COD, cash on delivery. How troubling is that? Children are being deprived of cancer treatment medication.

The effects of Puerto Rico's debt crisis reach beyond health care. Already, the Puerto Rican government has been forced to close 150 schools. Leaders anticipate closing a total of 500 schools in the next few years. That would be half of all public schools in Puerto Rico. Businesses have shuttered. Labor force participation is substantially below the U.S. average. Puerto Ricans on the island are fleeing to the mainland at an alarming rate.

Even as Puerto Rico was drowning in more than $70 billion of debt and forced to take unprecedented austerity measures, Republicans in Congress dithered. They continued to waffle. Finally, this spring congressional Republican leaders agreed to negotiate and address this economic and fiscal emergency.

The legislation before us is far from perfect. Oh, is it far from perfect. What they have done to labor, minimum wage, the oversight board, environmental—it is bad stuff. It is far from perfect. I share my colleagues' very deep concerns about this compromise legislation.

If Republicans were serious about pro-growth measures, they should have addressed some of the disparities Puerto Rico faces under Federal programs. They should have worked with us to fix Puerto Rico's unequal treatment under Medicaid and Medicare or extend key refundable tax credits to the island's government. Republicans should have extended overtime rules and the minimum wage.

I take issue with the oversight board and their excessive powers and appointment structure.

For all the Republican leader's promises about an open amendment process, Democrats have not been allowed to offer amendments to improve the bill. The tree is filled. How many times did we hear the Republican leader come to the floor and say: Oh, it is terrible; REID has filled the tree. Well, I should have waited and taken some lessons from him. We will just add that broken promise to the Republican leader's growing list of not keeping his word, such as the budget, a full workweek, and tax credits that are so vital to renewable energy projects.

If Democrats had written this bill, it would be very different from what we are voting on today. But I am going to vote for passage of this bill because we must help Puerto Rico before July 1. Otherwise, we turn that island nation—country, I should say—all American citizens—turn them over to the hedge funds, and they will sue them to death, and that is too bad. We must do something now.

As the Democrats stated in a letter that every Member of our caucus sent to Senator MCCONNELL earlier this year, Puerto Rico needs a workable debt-restructuring process.

While there are many things we may not like about this legislation, at the end of the day this legislation provides tools that allow Puerto Rico to survive, to hopefully restructure a meaningful portion of its debt. I wish we had something better.

Secretary Lew sent a letter to Senator MCCONNELL and to me a few days ago.

> [Puerto Rico's] only hope for recovery and growth is legislation that authorizes the tools necessary for better fiscal management and a sustainable level of debt.

While much work still needs to be done, this legislation meets the Treasury's criteria, and it is a step in the right direction.

Not acting today to provide Puerto Rico with debt relief and protection from creditors' lawsuits will have dire consequences and worsen the crisis.

Puerto Rico's only elected representative in Congress, Resident Commissioner PEDRO PIERLUISI, said it best in a letter he sent to me:

> PROMESA—
>
> Which is a word meaning ''promise'' in Spanish, and that is the name of this bill—
>
> is an imperfect but indispensable bill that constitutes the only realistic means to prevent the collapse of Puerto Rico's government; to protect regular citizens, pension plan participants and bondholders; to stem the tide of Puerto Rico families moving to the states; to enable the Puerto Rico government to regain access to the credit markets; and to lay the groundwork for Puerto Rico's economy to grow.

The Resident Commissioner is correct. Mr. President, 3.5 million American citizens who call Puerto Rico home need this relief, and they need it now. We should pass this legislation today and give Puerto Rico the relief it so desperately needs.

Mr. President, would the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the House message to accompany S. 2328, which the clerk will report.

The bill clerk read as follows:

> House message to accompany S. 2328, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.
>
> Pending:
>
> McConnell motion to concur in the House amendment to the bill.
>
> McConnell motion to concur in the House amendment to the bill, with McConnell amendment No. 4865, to change the enactment date.
>
> McConnell amendment No. 4866 (to amendment No. 4865) of a perfecting nature.
>
> McConnell motion to refer the House message on the bill to the Committee on Energy and Natural Resources, with instructions, McConnell amendment No. 4867, to change the enactment date.
>
> McConnell amendment No. 4868 (to (the instructions) amendment No. 4867), of a perfecting nature.
>
> McConnell amendment No. 4869 (to amendment No. 4868), of a perfecting nature.

The PRESIDING OFFICER. Under the previous order, the time until the cloture vote will be equally divided between the two leaders or their designees.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, parliamentary inquiry: How much time do we have before the vote?

The PRESIDING OFFICER. There is 36 minutes remaining prior to the vote.

Mr. DURBIN. There is 18 minutes a side, I understand?

The PRESIDING OFFICER. The Senator is correct.

Mr. DURBIN. Is that divided on position on the bill or on a partisan basis?

The PRESIDING OFFICER. Between the two leaders or their designees.

Mr. DURBIN. Thank you.

I see the Senator from Oklahoma seeking recognition.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I thank the Senator from Illinois.

WATER RESOURCES DEVELOPMENT ACT

Mr. INHOFE. First, Mr. President, I have been told I will have our time that I may use, and I appreciate that very much.

This morning we heard from the ranking member—from both sides. I am going to bring up something here that everyone agrees on, and that is with the things we do in our committee—we passed our highway bill, and we passed the TSCA bill. Right now, I wish to talk about the WRDA bill that is coming up.

I am on the floor today to express urgency to the often-neglected issues surrounding our Nation's water resources and water infrastructure.

In my nearly five decades in elected office, I have watched the impacts of Congress prioritizing and failing to prioritize our Nation's water system.

In 1986, Congress enacted the cornerstone WRDA legislation that set cost-share standards and created the harbor maintenance trust fund and the island waterways trust fund. Following this bill, it was intended for Congress to reauthorize WRDA every 2 years. ''WRDA'' means ''Water Resources Development Act.''

When we talk about what happened in 1986, not many people are aware of the fact that my State of Oklahoma is actually navigable. We have an inland waterway.

It was our intention at that time to have this bill every 2 years because it is just as significant as the highway bill. But then the trend came to a halt. Between 2007 and 2014, the WRDA bill—Congress went 7 years without a WRDA bill, the Water Resources Development Act. We got back on track 2 years ago. This is important because now we are getting back on track to get into the 2-year cycle.

Our coastal ports are grossly behind in their deepening projects to accommodate post-Panamax vessels. As you can see on this chart, the levees and flood walls are inadequate and well below the necessary level of protection. Our water infrastructure has become so deplorable that communities don't have the necessary resources to provide clean, safe drinking water, as you can see on this chart.

This is not a partisan problem; this is a national crisis. A lot of the things we are going to be talking about around this place—and we will see it today—are partisan. This is not.

The last WRDA took on the major reforms, and now, 2 years later, it is time for another WRDA to help clear up the logjam of Corps projects—the Corps of Engineers—and address concerns with aging infrastructure. Too often we take for granted how water resources and how water infrastructure projects affect our daily lives.

Some will argue—unlike the highway bill—that the WRDA bill is not considered a must-pass bill, that there is no shutdown of a program. However, I would argue that the WRDA bill is a must-pass bill.

Without WRDA, the 27 chiefs' reports included in the bill for port-deepening, flood protection, and ecosystem restoration will get put back on the shelf, and their construction will be delayed even further and it will cost much more money later on to make that happen.

Look at the aging infrastructure, the lead pipes. We saw what happened in Michigan, and we are addressing these things, these kinds of problems.

I have a letter addressed to Leader MCCONNELL and Majority Whip CORNYN, with 31 signatures from my fellow Republicans, asking Republican leadership to bring WRDA 2016 to the floor in the next few weeks.

I know my colleague Senator GRAHAM supports WRDA. He has been fighting to authorize the deepening of the Charleston Harbor for several years now, as you can see on the chart. Any further delay in this project is going to cause unwarranted economic loss to his State and the Nation as we prepare for the increased use of the post-Panamax vessels that we are all aware are on their way.

The same could be said for several of my other colleagues who have a vested interest in their projects. In this bill, port-deepening projects in Florida, Alaska, Maine, and Texas would be better positioned for those States to capitalize on increased import and export projections over the next 20 years.

Flood projects in Kansas and Missouri would provide communities in their State the necessary assurance that homes and businesses will not be flooded by the next storm.

Ecosystem restoration projects in Florida, Illinois, and Wisconsin would stimulate recreational and commercial economies otherwise left behind, as we can see here. That is Florida on our chart.

Senators VITTER and CASSIDY also support the passage of WRDA. Their State has experienced more catastrophic disaster from storms and flooding in the past decade than any other. They, too, have a project proposed for flood protection that had been studied for nearly 40 years. You can study something to death and never get anything done. If this project had been prioritized and constructed in the early 2000s as we intended, then St. John Parish in Louisiana and the surrounding communities would not have endured $600 million in damage from Hurricane Isaac in 2012.

That is just a snapshot of what has been included in the WRDA bill.

Water resources and water infrastructure projects are integral to our everyday lives—as we see in the next chart, the levees to protect our communities from floodwaters; ports and waterways that move American goods and services to a global marketplace.

In addition to the traditional water resources projects and the provisions that have dominated WRDA bills in the past, Senator BOXER and I decided to go one step further and address the pressing water infrastructure crisis facing this Nation. As we put this bill together and we held hearings on critical water resources and infrastructure, we heard how communities are struggling to meet ever-growing clean water and safe drinking water mandates that are needed for flexibility and for targeted assistance.

By the way, if people are wondering right now why we are dividing the time before voting on a bill, I was going to make this presentation yesterday, but the Senator from New Jersey dominated the floor so that was not possible.

Our witness representing rural water, Mr. Robert Moore from Madill, OK, recommended that we target the grant assistance program addressing issues of greatest necessity. These programs include assistance for small and disadvantaged communities.

This is something that is particularly of concern in my State of Oklahoma. We are a rural State. We have many small communities, and we have the unfunded mandates come down from Washington, and we just can't handle those. This is the one program that helps States like my State of Oklahoma.

We have also empowered local communities to meet EPA mandates on a schedule that is doable and affordable for the community and that allows the community to prioritize addressing the greatest health threats first. That is good. That allows the communities to make these determinations.

In addition to providing disaster relief for Flint, MI, we have also capitalized the new Water Infrastructure Financing Innovation Act Program, which can provide secured loans for water and wastewater. That is actually called WIFIA. I think we are all familiar with that program.

Without being able to get this done, none of these good things are going to happen. We have in this bill $70 million for this new program that delivers as much as $4.2 billion in secured loans. We are talking about the WIFIA Program. This is a fiscally responsible way

to partner with the States and provide Federal assistance. So when we are concerned about Flint, MI, there are other problems in other areas that meet the same criteria.

We heard how new technologies can help address droughts and other water supply needs, like the issues we face in the Red River in Oklahoma. S. 2848 addresses this issue by promoting new technologies and the transfer of desalination technologies from other countries facing the same problems. Passing WRDA 2016 would guarantee the Federal Government's principal commitment to resilient water resources and water infrastructure and strong commerce.

This is a major bill. We are all concerned. We are all very familiar with what we did in this committee. I often say the Environment and Public Works Committee is a committee that actually does things, and we did. We did the highway bill, we did the TSCA bill on chemicals, and this is the WRDA bill coming up.

From the outset, Senator BOXER and I have worked closely with Senate Republicans and Democrats to make sure that all Members were heard and no one was left behind. We have done this successfully on several occasions, as I mentioned—the FAST Act and TSCA—and we have delivered for every Member of this body. We have done the same thing with the WRDA bill, and that is what we are talking about doing now.

We listened to your concerns, we engaged your constituents and your project sponsors in your respective States, as well as the users of our waterways and transportation infrastructure. The message was clear and uniform: Get back to regular order and build upon the reforms in the WRDA bill of 2014. We went 7 years without doing what we were supposed to be doing every 2 years, and now we are back on schedule to do that—to empower the Army Corps and local host sponsors to help keep our water resources infrastructure strong and functioning.

Let me close by saying that not passing this bill would result in nearly $6 billion in navigation and flood control projects being unnecessarily delayed or never constructed. There would also be no critical reforms to the Army Corps of Engineers and their policies, no essential affordability reforms for the communities' clean water infrastructure mandates, no new assistance for innovative approaches to clean water and drinking water needs to address drought and water supply issues, no resolution of the national lead emergencies, like in Flint, MI, and no dam rehabilitation programs.

So today, I am asking the leadership and my fellow Republicans to seize this valuable opportunity and bring the WRDA bill of 2016 to the floor. I know we want to do our appropriations bills, but we need to sandwich this in. We want it to get to the floor and passed before the July recess. Time is really of essence.

We are putting the managers' amendment together now. I encourage all Members to bring to me and to BARBARA BOXER their concerns and their amendments so they can have the proper consideration on this bill. If you bring them down, we can do that. We are going to be ready to do this very significant bill. It will take a lot of cooperation by a lot of people. It is something we are supposed to be doing in this country.

People are impatient this morning, so I am going to yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Washington.

Ms. CANTWELL. Mr. President, on this debate we are about to pursue, I ask unanimous consent that 9 minutes be given to the opponents and 8 minutes to the supporters of this legislation. I would like to take 5 minutes now, reserving 5 minutes for Senator MENENDEZ, and give my colleague from Illinois 8 minutes to control for people who are supportive of this legislation.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, I come to the floor to ask my colleagues to not vote for cloture on this measure and to give the Senate a chance to work its will.

Many people know this legislation is being brought over from the House. I appreciate the good relationship I have with my colleague from the Energy and Natural Resources Committee, and I would love the opportunity to have their input into this legislation, as many of my colleagues would, with just a simple amendment process. That is being denied here today if we, basically, invoke cloture.

Everybody has admitted this is a flawed bill. There is not one person who has done a presentation on this that hasn't admitted it is a flawed product from the House of Representatives. So why not take a little time today and improve that bill? Why not let the Senate work its will, as we do on so many issues—because we have the time? As I think my colleague from New Jersey will prove, we are definitely going to be here for a few days doing nothing. So, why not, instead of sitting here doing nothing, take the chance to improve a bill that, by all accounts, is flawed?

Also, there is so much discussion that somehow July 1 is a magic date. Well, actually, July 11 is the next scheduled legal hearing on this, and that is plenty of time for the Senate to weigh in on a few ways to improve this legislation and to make sure we are not suspending the constitution of Puerto Rico in the process.

There are many questionable issues about the structure of this bill. I certainly prefer a structure that is clean and simple, understood by my colleagues, and is going to lead to success by all of us. Why do I say that? Because the continued wrangling over the debt in Puerto Rico by a process that will be challenged on its constitutionality means that Puerto Rico will continue to be bled, the United States Government will continue to be bled, and we will not get a resolution of this issue.

The appointments clause requires that these officers, who are being appointed under the authority of Federal law, be appointed by the President and confirmed by the Senate. But, if this bill is enacted, we will have board members who have significant authority over Federal law and they are not appointed by the President and they are not confirmed by the Senate. So it is going to be challenged constitutionally.

Why is this important? Because there are hedge funds out there that took Argentina's debt and it took almost a decade to get a resolution because they could win in court. We want a process here in legislation in which all of the debt is part of a discussion, and in which people can offer solutions as to how to get out of this situation by giving bankruptcy to Puerto Rico.

Also, there are questions about this board and who they are? Besides the fact that they are likely to be challenged in court as unconstitutional, I brought up the point last night that they can actually receive gifts. Gifts from whom? What gifts? What can the board receive? Is it cars? Is it equipment? Is it airplanes? What is it they can receive?

So we are here now to say: Let's take the time, instead, to make sure we are going through this process and improving the bill in the Senate. I think this is something my colleagues on both sides of the aisle can appreciate. What is hard to appreciate is that this small group of people are being given some very large powers.

This group of people—just a simple majority of four of them—appointed by the two leaders of the Senate and the House, can approve the fiscal plan for Puerto Rico, approve the budget for Puerto Rico, set aside an act of law by the Puerto Rican Legislature, and disapprove or approve and expedite permitting of projects. So, this is a lot of power. If you don't think someone is going to challenge the constitutionality of this, I guarantee you they are going to challenge it. In the meantime, we will have legal wrangling and a continued process.

I urge my colleagues to vote 'No' on this legislation. Give the Senate a chance to work its will and make sure we are protecting the U.S. taxpayers on the amount of debt we will be seeing with this legislation if we don't move forward in an orderly fashion.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. CANTWELL. I thank the Chair, and I yield the floor.

Mr. DURBIN. Mr. President, how much time remains on both sides?

The PRESIDING OFFICER. The proponents of the measure have 8 minutes

remaining, and the opponents have approximately 4 minutes remaining.

Mr. DURBIN. I am going to speak, and I know my colleague and friend from New Jersey is here and opposes the measure. I have been given 8 minutes, and I don't know how much of that time I will use. I will try to leave whatever is left for his use. I know he spoke yesterday, but I am sure he wants to speak again this morning. I will yield whatever is left.

The other remaining time, as I understand, is controlled by the other side.

Ms. CANTWELL. In the unanimous consent request I locked in 5 minutes.

Mr. DURBIN. I ask for a clarification. Is there still 5 minutes remaining for the Senator from New Jersey?

The PRESIDING OFFICER. The Senator from Washington consumed 5 of 9 minutes, leaving 4 minutes remaining for the opponents of the bill.

Mr. DURBIN. If I don't use my entire time, I will yield the remainder to the Senator from New Jersey for those with opposing positions.

Mr. President, many times on the floor of the Senate we are faced with difficult, sometimes impossible choices. At the end of the day, you wish you could sit down and write a solution that you believe would achieve its purpose and do it in the most responsible manner. Many times we don't get that luxury, and this is an example.

Puerto Rico is in a unique relationship with the United States. Some have said this agreement is in the nature of a colonial imposition on the island of Puerto Rico. As the laws currently stand, Puerto Rico cannot save itself. It is $70 billion in debt, and those who hold the debt—the bond holders—are demanding payment.

The Puerto Rican economy is struggling to survive and struggling to make a $2 billion payment on that debt by July 1. Under these emergency circumstances, there is only one place to turn. It is not an imposing colonial power; it is the United States of America that has been in partnership with Puerto Rico in the past and should be for its future.

We are trying to find a reasonable way through this that will appeal to both political parties. Of course, the political parties see this differently. A Democratic solution to this looks a lot different than a Republican solution. What we have before us is a compromise. It is a measure that was entered into with the cooperation, collaboration, and bargaining between the Speaker of the House, NANCY PELOSI, the White House, and Republican leaders. So it is a mixed bag politically that comes to us today.

I support it, although I would be the first to tell you there are parts of it I find absolutely objectionable. Bringing in the notion that they are going to put their economy on solid footing by reducing the minimum wage is laughable, as far as I am concerned. If you lower that minimum wage to an unconscionable level, more and more people will leave Puerto Rico—which they can legally do—and come to the United States, where the minimum wage is significantly larger than that proposed by the Republicans. The same thing is true when it comes to overtime pay.

I struggle with the powers of this oversight board, but I understand that time and again in history, when entities like New York City and other places are facing virtual bankruptcy, an oversight board has been the vehicle to bring them to stability. I think this oversight board is loaded—even though it is 4 to 3—loaded on the other side, but I hope they will in good conscience come up with approaches that are acceptable.

What is the alternative if we vote no? We will hear a lot of Members say: Let's just vote against this and put an end to it. The alternative if we vote no is to give the bondholders, those who are holding the debt of Puerto Rico, all the cards July 1—all the cards. They can then go to court and force their hand for payment on these debts. And Puerto Rico, which is struggling to provide basic services, will have even more money taken away from them. What is a disastrous situation will become disastrously worse if we vote no and do nothing. This oversight board, for all its flaws, has the power to stop that from happening—has the power to enter into voluntary negotiations on the debt of Puerto Rico, and if they can't reach a voluntary agreement, they have the power to go to court for restructuring all of the debt that faces the island. Now that is significant. I hope it doesn't reach that point. I hope there is a voluntary negotiation. But to say we are going to protest the creation of this board by voting against the creation of the board and this outcome I have described is to throw this poor island and the people who live there into chaos.

I received a telephone call from the archbishop of Chicago, Blase Cupich. I respect him very much. He called me on several issues, but he said: The real purpose for my call is to tell you the archbishop of San Juan, Puerto Rico, has reached out to me and told me of the desperate situation they are facing in Puerto Rico today. About 150 schools have closed. There is no money to buy gasoline for the buses to take the children to schools. Many of the medical services are down to zero. One doctor a day is leaving Puerto Rico, and they can't afford to lose any. Currently, at the major hospital, Centro Medico, there is a serious question as to whether children who are trying to survive cancer will have the drugs they need for a fighting chance. That is how desperate it is. He went further to say the air ambulance service on Puerto Rico, which transports the most gravely ill people to medical care, is now not flying. They can't afford to. People have to pay in cash for dialysis services.

This is a disastrous situation, and the notion that we can vote no today and not accept the consequences, which will be terrible for Puerto Rico, is not a fair analysis of this problem. Yes, I would have written a different bill. Yes, I would have constructed a different oversight board, but the choice now is not between some ideal or some better approach. The choice is before us. The choice is yes or no, and a ''no'' vote is one that is going to imperil this island and make the poor people living there face even worse hardship. How can that be a good outcome? How can we bargain for the possibility that several months from now there may be a better constructive oversight board? I think the responsible thing to do is to move forward.

Don't take my word for it alone. I represent the State of Illinois and am proud to do it. My connection to Puerto Rico is through 100,000 Puerto Ricans who live in my State. I have worked with them. I have met with them.

This morning, I received a letter from PEDRO PIERLUISI, who is the Member of Congress from Puerto Rico. He goes on to write:

> As Puerto Rico's sole elected representative in Congress, I write to respectfully request that you vote in favor of S. 2328. . . . On June 9th, the House approved PROMESA in a strong bipartisan vote, an all-too-rare event that I hope will be replicated in the Senate this week.

He goes on to talk about the imperfections in this bill, which we all know. But he then goes on to talk about the hardships that the island of Puerto Rico is facing and will face if this bill is not passed. We have received the same request from the Governor of Puerto Rico. To ignore these people and to ignore the people who live there and the perils they face, I don't believe is a responsible course of action. I think we have to move forward in a positive fashion. That is why I am going to support this measure today and urge my colleagues to do the same. It passed with a strong bipartisan vote in the House, as the resident Congressman has related in his letter. It is an indication that as imperfect as this agreement may be, it is the best we can come up with in this terrible and perilous situation facing the island of Puerto Rico.

I urge my colleagues today to vote yes on cloture, vote yes on final passage of this bill. Give Puerto Rico a fighting chance.

Mr. President, I yield the floor.

Mrs. BOXER. Mr. President, I oppose invoking cloture on this measure because the House version of this bill is flawed, and the Senate should have the opportunity to improve it.

Puerto Rico is drowning in more than $70 billion of debt, equal to nearly 70 percent of the island's GDP. This is a serious situation deeply affecting the 3.5 million Americans who call the island home. And let us be clear: these Americans need their country's help. But the current PROMESA Act is not the answer, and here are two reasons why.

First, one of the provisions in the bill would set up a seven-member oversight board to oversee Puerto Rico's fiscal plan and annual budgets. This board would consist of four Republicans and three Democrats and the Governor of Puerto Rico would serve as a nonvoting member. This is not a fair solution. Representation must be fair, and the way this board is currently proposed, it is one-sided. We need to fix that.

Second, this legislation could reduce the minimum wage in Puerto Rico from $7.25 an hour to $4.25 an hour for workers 25 years old and under. How can young workers needing to gain economic independence in a suffering economy begin their careers on solid footing making only $4.25 an hour? In addition, this would reduce consumer spending, hurting an already weak economy.

We should be lifting all workers—from California to Puerto Rico—up, not letting them fall further and further behind.

We must give Puerto Rico the tools it needs to come out of this disaster stronger and with a clear path forward. As it stands, I do not feel this bill provides the smart and necessary solutions needed to resolve this fiscal crisis, and therefore, I oppose invoking cloture on this measure.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, parliamentary inquiry: How much time do I have?

The PRESIDING OFFICER. The Senator from New Jersey has approximately 3 minutes 40 seconds remaining.

Mr. MENENDEZ. Is that the time that was reserved? I understand there was a 5-minute time reserved.

The PRESIDING OFFICER. The time of the Senator from Washington passed the initial reserve time used against the total reserve time.

Mr. MENENDEZ. I ask unanimous consent to have up to 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, I rise again this morning to urge my colleagues to vote no on cloture. As drafted, PROMESA exacts a price far too high for relief that is far too uncertain.

I came to this Chamber in September and December of last year to raise the alarm bells about what was happening in Puerto Rico. The majority held the ball and ran out the shot clock, attempting to silence the voice of 3.5 million U.S. citizens living in Puerto Rico in this debate.

So let's be clear about what this vote to end debate means. Despite what the proponents of the bill will argue, opposing this cloture vote is not a vote to allow Puerto Rico to default. Any legislation we pass includes a retroactive stay on litigation, meaning that any lawsuit filed after July 1 will be halted and any judgment unenforceable. As the bill states, the stay bars ''the commencement or continuation'' of suits to recover claims against Puerto Rico. It also bars ''enforcement . . . of a judgment obtained before the enactment'' of the bill. In addition, section 362 of the Bankruptcy Code, which is incorporated by reference into the bill, bars the ''enforcement . . . of a judgment obtained before'' filing for bankruptcy, once the board files a bankruptcy petition on Puerto Rico's behalf. So even if the hedge funds win a judgment before the stay is enacted, that judgment cannot be enforced, and once the debt adjustment plan is confirmed, the judgment can be discharged.

As the Third Circuit Court of Appeals held in 2012—the circuit that has jurisdiction over Puerto Rico—''Even if [an] injunction is not a claim [for the purpose of the bar against ''commencement or continuation'' of ''claims''], any action to enforce [an injunction] is subject to the stay and cannot proceed without relief from the stay.''

I repeat, ''Any action to enforce [an injunction] is subject to the stay and cannot proceed without relief from the stay.''

There is no doubt that time is of the essence and Congress must act swiftly. However, we shouldn't allow a somewhat arbitrary deadline to force through a fundamentally flawed bill as the retroactive stay gives us time to get this right. July 1 shouldn't be used as an excuse to abdicate our responsibilities as U.S. Senators. With this in mind, I remind my colleagues that a vote for cloture is a vote against even attempting to improve any piece of this bill.

I know many have serious concerns over a lot of provisions in the bill, from the control board to the anti-worker riders, and many are even filing amendments to improve these aspects. A vote for cloture is a vote to disenfranchise 3.5 million Americans. It is a vote to authorize an unelected, unchecked, and all-powerful control board to determine Puerto Rico's destiny for a generation or more. It is a vote to force Puerto Rico, without their say, to go $370 million further in debt to pay for this omnipotent control board, which they don't even want. It is a vote to cut the minimum wage down to $4.25 per hour for young workers in Puerto Rico. It is a vote to make Puerto Ricans work long overtime hours, without fair compensation. It is a vote to jeopardize collective bargaining agreements. It is a vote to cut worker benefits and privatize inherently government functions. It is a vote to shut schools, shutter hospitals, and cut senior citizen pensions to the bone. It is a vote to put hedge funds ahead of the people. It is a vote to sell off and commercialize natural treasures that belong to the people of Puerto Rico, a vote to fast-track projects without a careful consideration of the environmental and health impacts, and, most of all, it is a vote against even attempting to fix these serious flaws.

Is our memory so short that we have already forgotten the tragedy of Flint and the emergency board failures that caused it? Are we comfortable allowing this unelected, unaccountable control board to choose budgets over people? Are we content to allow them to veto regulations ensuring clean water because they don't fit the board's imposed fiscal plan? I certainly hope not.

I have heard multiple times in my career that it is this bill or nothing, but I have and continue to reject that false dichotomy. Every issue before the Senate deserves and usually receives a full and open debate, but for far too long we have made Puerto Rico the exception—the ''other'' that is somehow outside of the United States—treating our fellow Americans like subjects, not citizens: subjects not citizens. Let's break that cycle today. Let's have an honest debate and treat the 3.5 million citizens living in Puerto Rico as we would treat the citizens in any one of our States.

I urge my colleagues to oppose cloture.

Mr. President, I yield the floor.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to S. 2328, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

Mitch McConnell, John Cornyn, Thad Cochran, Marco Rubio, Lamar Alexander, John Hoeven, Jeff Flake, James M. Inhofe, Deb Fischer, Orrin G. Hatch, Johnny Isakson, Bob Corker, Lindsey Graham, John Boozman, Bill Cassidy, Mark Kirk, Daniel Coats.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to S. 2328 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 68, nays 32, as follows:

[Rollcall Vote No. 113 Leg.]

YEAS—68

Alexander	Burr	Cochran
Ayotte	Cardin	Collins
Barrasso	Carper	Coons
Bennet	Casey	Corker
Blumenthal	Cassidy	Cornyn
Blunt	Coats	Crapo

Durbin	Kaine	Roberts
Enzi	King	Rounds
Feinstein	Kirk	Rubio
Fischer	Klobuchar	Schatz
Flake	Lankford	Schumer
Franken	Leahy	Sessions
Gardner	McCain	Shaheen
Gillibrand	McCaskill	Stabenow
Graham	McConnell	Sullivan
Hatch	Mikulski	Thune
Heinrich	Murphy	Toomey
Heitkamp	Nelson	Udall
Hirono	Paul	Vitter
Hoeven	Peters	Warner
Inhofe	Reed	Whitehouse
Isakson	Reid	Wyden
Johnson	Risch	

NAYS—32

Baldwin	Ernst	Perdue
Booker	Grassley	Portman
Boozman	Heller	Sanders
Boxer	Lee	Sasse
Brown	Manchin	Scott
Cantwell	Markey	Shelby
Capito	Menendez	Tester
Cotton	Merkley	Tillis
Cruz	Moran	Warren
Daines	Murkowski	Wicker
Donnelly	Murray	

The PRESIDING OFFICER (Mr. SULLIVAN). On this vote, the yeas are 68, the nays are 32.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked, the motion to refer falls as it is inconsistent with cloture.

The majority leader.

AMENDMENT NO. 4866

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays on amendment No. 4866.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SASSE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PERDUE). Without objection, it is so ordered.

RECESS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Senate recess until 2:15 p.m., with the time in recess counting postcloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon, the Senate, at 1:07 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CRUZ).

NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2015—Continued

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, there be 5 hours of time equally divided between the two leaders or their designees; further, that Senator MENENDEZ or his designee be recognized to make a motion to table the motion to concur with amendment No. 4865, and that Senator SANDERS or his designee be recognized to make a budget point of order, and that Senator MCCONNELL or his designee be recognized to make a motion to waive the point of order; further, that following the use or yielding back of the 5 hours of debate, the Senate vote on the motions in the order listed; finally, that if the motion to table is not successful, then following disposition of the motion to waive, the remaining postcloture time be yielded back, the motion to concur with amendment be withdrawn, and the Senate vote on the motion to concur in the House amendment with no further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, the Democrats have 150 minutes. I ask unanimous consent that that be divided as 40 minutes for MENENDEZ, 40 minutes for SANDERS, 10 minutes for CANTWELL, 10 minutes for HEITKAMP, and 50 minutes for proponents of the legislation.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, further reserving my right to object, I would also say that just because you have the time, you don't have to use it. I would hope Senators on both sides would understand that the sooner we get to the votes, the better off we will be.

I would also say this. I appreciate on my side the work done by Senator MANCHIN of West Virginia. That State, in the last few weeks—actually, for the last few months—has been hit harder than any State deserves to be hit. It is just awful what has happened there. Senator MANCHIN has been stalwart in recognizing the work he has to do there.

We understand his advocacy for years now—especially the last few months—on the miners, their pensions, and health care benefits. We recognize that. We think we have ways of helping him, and we have something worked out we think is appropriate, and we have discussed that with him.

I would also recognize Senator SANDERS. Everyone knows the fervency of his opinion on a number of different things, and he certainly has one on this matter, and he has 40 minutes to explain that. We appreciate his cooperation.

The person who has been a voice on Puerto Rico for more than the last few months—for years—has been BOB MENENDEZ from New Jersey. He has been very articulate in all the caucuses we have had where we have discussed this and on the floor. I admire his feelings on this.

I wish I could say we have solved all of his problems. We have not been able to do that, but I certainly want everyone to know he has done a terrific job of recognizing, in his opinion, what is wrong with this legislation. There is no one better to articulate that position than BOB MENENDEZ.

Senator CANTWELL has worked very hard on this legislation with the chair of the Energy Committee, the senior Senator from Alaska. They have worked very hard. They had a way forward, but they couldn't get it done. They are going to continue to work on putting something together. We need more of that.

We have an Energy bill coming up. We hope we can work something out to get to conference on that and move forward on that. That is a bill that is years overdue. We have been trying to do that for almost 5 years. So I hope we can work something out.

Senator HEITKAMP is going to come and give us her opinion on what we should do on Ex-Im Bank. She has been articulate and working with Senator CANTWELL on that.

I appreciate the work of the Republican leader, and his assistant, the senior Senator from Texas. This has been kind of a difficult issue for everybody. We all didn't get what we wanted. That includes Democrats and Republicans. I wish we could have done better, but this is what we got from the House, which had been worked on over there with the Republicans, with the Speaker, with Leader PELOSI, and the President's people. This is what we have, and we have had to work through this to do what we could do.

I wish we could have done more, but I am satisfied that this is going to be a broad, broad step forward to help the people of Puerto Rico, who are desperate for help.

I have no objection.

The PRESIDING OFFICER. Is there objection to the majority leader's request?

Without objection, it is so ordered.

The majority leader.

Mr. MCCONNELL. Mr. President, for the information of our colleagues, this sets up three votes that will allow us to finish the bill later in the day. But I would remind everyone that we have a briefing from 4 to 5 on the ISIL issue, which I would encourage all of our Members to attend.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I rise in very strong opposition to the Puerto Rico Oversight, Management, and Economic Stability Act, the so-called

PROMESA Act. This is a terrible piece of legislation, setting horrific precedent, and it must not be passed.

The United States of America should not treat Puerto Rico as a colony. We cannot and must not take away the democratic rights of the 3.5 million Americans of Puerto Rico and give virtually all power on that island to a 7-member board that will be dominated, as it happens, by 4 Republicans. This legislation strips away the most important powers of the democratically elected officials of Puerto Rico, the Governor, the Legislature, and the municipal governments as well. We must not allow that to happen.

This is not what the United States of America is supposed to be about, and this is not how we should treat a territory in the year 2016. The bottom line is that the United States must not become a colonial master, which is precisely what this legislation allows. Any decisions that are made regarding the future of Puerto Rico must be made by the people of that island and their elected officials.

This legislation, I should add, is not just about taking away the democratic rights of the people of Puerto Rico. It is about punishing them economically. Since 2006, Puerto Rico has been in the midst of a major economic depression. In the last 10 years, Puerto Rico has lost 20 percent of its jobs. About 60 percent of Puerto Rico's adult population is either unemployed or has given up looking for work. Over the last 5 years alone, more than 150 public schools have been shut down and the childhood poverty rate in Puerto Rico is now 58 percent. There is a mass migration out of Puerto Rico to the mainland of professionals because there is simply no work on the island.

In the midst of this human suffering and economic turmoil, it is morally repugnant that billionaire hedge fund managers on Wall Street are demanding that Puerto Rico fire teachers, close schools, cut pensions, and lower the minimum wage so that they can reap huge profits off the suffering and misery of the American citizens on that island.

We have to understand that Puerto Rico's $70 billion in debt is unsustainable and unpayable. That is just a fact. You cannot get blood out of a stone. The reason—or one of the major reasons that it is unpayable—has a lot to do with the greed of Wall Street vulture funds. In recent years, vulture funds have purchased a significant amount of Puerto Rico's debt. In fact, it has been estimated that over one-third of Puerto Rico's debt is now owned by these vulture funds that are getting interest rates of up to 34 percent on tax-exempt bonds they purchased for as little as 29 cents on the dollar. Let me repeat that. Vulture funds are getting interest rates of up to 34 percent on tax-exempt bonds they purchased for as little as 29 cents on the dollar.

Let us be clear. This issue is a significant part of what the entire debate regarding Puerto Rico is about. Billionaire hedge fund managers who purchased Puerto Rican bonds for pennies on the dollar now want a 100-percent return on their investment, while schools are being shut down in Puerto Rico, while pensions are being threatened with cuts, while children on the island go hungry. That is morally unacceptable. That should not be allowed by the Congress.

It is bad enough for Republicans in the House to write legislation that takes away the democratic rights of U.S. citizens living in Puerto Rico, but adding insult to injury, this legislation does something even more insulting. At a time when health, education, and nutrition programs will likely be cut, this legislation, if you can believe it, requires the taxpayers of Puerto Rico to pay for the financial control board at the unbelievable sum of $370 million in order to fund the control board's bureaucracy.

So think about it for a second. The control board will likely cut programs for the elderly, the children, the sick, and the poor, on an island where 58 percent of the children are already living in poverty because Puerto Rico does not have enough money to take care of its most vulnerable people. In the midst of all that, $370 million is going to be sucked away from Puerto Rico in order to pay for the administration of the financial control board. This, to me, is literally beyond belief.

Puerto Rico must be given the time it needs to grow its economy, to create jobs, to reduce its poverty rate, and to expand its tax base so that it can pay back its debt in a way that is fair and just. In my view, we need austerity—not for the people of Puerto Rico but for the billionaire Wall Street hedge fund managers who have exacerbated the financial crisis on the island. We must tell them loudly and clearly that they cannot get everything they want while workers in Puerto Rico are fired, while schools are shut down, while health care is underfunded, and while children on that island live in poverty.

I am very disappointed that this extremely important piece of legislation is being pushed through Congress without allowing any amendments here in the Senate. That is not the way we should be doing business.

If allowed, I will offer an amendment in the form of legislation that I have introduced—legislation that would allow Puerto Rico's debt to be structured through the creation of a reconstruction finance corporation.

Let's never forget that in 2008, when Wall Street's greed, recklessness, and illegal behavior nearly destroyed our economy, the Federal Reserve provided $16 trillion in virtually zero—zero—interest loans to every major financial institution in this country, as well as central banks and corporations throughout the world. If the Federal Reserve and the Treasury Department could move quickly to stabilize our economy and global markets in 2008, we can surely help the 3.5 million American citizens in Puerto Rico who are hurting today. The Fed can and should provide low-interest loans to Puerto Rico and facilitate an orderly restructuring of Puerto Rico's debt.

This legislation is both a political and economic disaster for the people of Puerto Rico. This legislation takes away their democratic rights and self-governance and will impose harsh austerity measures, which will make the poorest people in Puerto Rico even poorer. This is legislation that should not be passed by the Congress.

I rise to offer a point of order against this legislation.

Mr. President, I understand that the Republican representative will be coming down in a few moments, so I will reserve my time and reclaim the floor in a few minutes when the Republican representative is here.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANDERS. Mr. President, I rise to raise a point of order against this legislation and make a point of order that the pending motion to concur violates section 425(a)(2) of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of the motion to concur in the House amendment to S. 2328, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. SANDERS. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, as we all now know, the government of Puerto Rico has run up an astounding debt of around $70 billion and has more than $40 billion in virtually unfunded pension promises. To address this financial challenge, the Senate has taken up legislation to provide greater oversight of the territory's finances and some broad debt-resolution authority.

That bill, which the authors entitled the ''Puerto Rico Oversight, Management, and Economic Stability Act,'' or PROMESA, is certainly not something I would have written and in many areas leaves a lot to be desired. Nonetheless, I voted to invoke cloture on

the bill because, thanks to the stubbornness of the Treasury Department and lack of transparency from the government of Puerto Rico, it is the only option on the table, and delaying action would only hurt the Americans who reside on the island.

Astoundingly, the government of Puerto Rico has not provided audited financial statements since 2013, despite its responsibilities to do so under continuing disclosure requirements and multiple requests from Congress and investors. The territory's debt challenges have been center stage here in Congress for about a year now, and throughout that time we have received only stale, largely useless, and untrustworthy information regarding Puerto Rico's finances. In fact, some of the disclosures have been downright insulting.

For example, earlier this year I submitted a number of detailed questions to the Governor of Puerto Rico about the state of the island's finances. One of my questions was very straightforward: ''What component units of Puerto Rico's government has issued debt, and how much does each owe?'' Amazingly, the Governor, in a delayed response, answered that simple question with a quote from an outdated report issued by the Federal Reserve Bank of New York.

In other words, the very government that issued the debt would not even provide information on what it owes and instead quoted a third party. This is not an isolated incident. Throughout this public discussion, we have yet to get anything resembling a firsthand account of the true fiscal situation in Puerto Rico. In fact, this lack of transparency—and that is putting it kindly—has gone on for years. Lately, however, Puerto Rico's withholding of information seems to have been strategic and part of a legislative strategy in concert with the Treasury Department.

The U.S. Treasury Department was given authority to provide technical assistance to Puerto Rico but evidently has not advised Puerto Rico's government to open its books. In addition, despite numerous requests I have made to Treasury to provide briefings on the nature of their technical assistance, they have, so far, refused to provide any such insight.

We have heard calls from various sources, including Members of the Senate, for the Securities and Exchange Commission to investigate actions taken on the part of private investors in relation to Puerto Rico's debt crisis. Given the apparent coordination between Treasury and the government of Puerto Rico and the overall lack of information we have about the current state of the territory's debt and finances, I sent a letter this week to the SEC asking that actions and inaction by government officials be included in any investigation into Puerto Rico's debt.

Today I also sent a letter to Treasury Secretary Lew inquiring about reported confidentiality agreements Treasury officials have signed with component units of Puerto Rico's government. The existence of such agreements raises many questions, and disturbing reports that Treasury officials may have impeded negotiations between Puerto Rico and its creditors in order to get a better legislative outcome in Congress raises even more questions.

With respect to Puerto Rico, the Obama administration is and has been interested in one thing and one thing only: obtaining the broadest and most comprehensive debt resolution authority for Puerto Rico possible, in an obvious attempt to favor public pensions in Puerto Rico. While I tried last year to work with administration officials toward a resolution for Puerto Rico, Treasury officials remained extraordinarily rigid in their objectives.

Moreover, while that administration and many of my friends on the other side have been very forthcoming in offering ideas of how to send roughly $50 billion of extra health funds to Puerto Rico and nearly $10 billion in difficult-to-administer tax incentives, none of them have been forthcoming about the actual cost of their proposal. They have also persisted in identifying what they call ''health funding inequities'' but never seem to want to own up to the fact they purposefully included a cliff in health funding for Puerto Rico as a part of ObamaCare.

This health funding cliff alone should be a clear indication to the people of Puerto Rico that while the administration and my friends on the other side of the aisle talk one way about how they care for the people of Puerto Rico, they often act quite differently and give far more attention and effort to protecting the interests of public sector unions.

I have made clear all along my main objective has been to serve the interests of the people of Puerto Rico, not the politicians on the island or here in Washington, DC. That is why I voted to invoke cloture on the legislation before us today, despite the rigidities of the Obama administration and the government of Puerto Rico.

Unfortunately, we have been put in a position where, if this legislation were to fail, there will only be more suffering for the people of Puerto Rico. We cannot wait for another administration here or on the island to finally get accurate and verified information on Puerto Rico's finances. We cannot wait for the Obama administration to start engaging reasonably with Congress about health care funding or tax incentives for the island.

Therefore, in order to finally determine the true state of Puerto Rico's finances and to provide relief from the massive indebtedness accumulated by a profligate Puerto Rican government, I will, once again, be voting yes on this bill. The bill does not have any significant effect on the Federal deficit or our massive Federal debt, which is a good thing. Unfortunately, it also will not have any significant effect on Puerto Rico's economic growth, but it does promise to finally uncover what is beneath the opaque, weblike structure of the Puerto Rican government's finances, and if we are actually going to be able to meaningfully address the island's financial challenges, that will be a very important step.

The bill also has the potential to provide some debt relief which can help the people of Puerto Rico, if effectively implemented and not used simply as a way to funnel resources into public pension programs. Despite reforms to pension programs touted by the Puerto Rican government in recent years, the territory has not actually funded those reforms. As a result, large public pension programs on the island remain, in effect, entirely unreformed, still allowing for things like government-subsidized loans to participants for cultural trips intended for ''relaxation.''

Unfortunately, there has been a lot of other misinformation about Puerto Rico's financial information put forward by some of my friends on the other side of the aisle, by some administration officials who know better, and by many in the House who could stand to learn more. None of that, if we let it persist, will help the people of Puerto Rico.

Let me close by agreeing with some remarks made yesterday by my colleague and good friend Senator CANTWELL, who correctly identified that whatever happens today with PROMESA, issues surrounding Puerto Rico are not going away.

I will note this legislation sets up a congressional task force to consider impediments to growth in Puerto Rico, including those that may stem from the Federal Government policies. Perhaps Senator CANTWELL and I could serve together on the task force. In principle, the task force can allow Congress to continue to address issues surrounding how Federal tax and health care policies affect Puerto Rico and how changes could possibly influence growth.

To be clear, I believe this task force could be useful only if both sides of the aisle are willing to seriously discuss ideas beyond sending tens of billions of dollars to Puerto Rico. If the task force will only consider a wish list of Federal spending, I don't see it accomplishing all that much for the people living in Puerto Rico.

In any event, it is long past time for holding out hope the government of Puerto Rico will provide accurate financial information. Similarly, it is likely a fruitless endeavor to keep waiting on the Obama administration to move away from its rigid focus on obtaining broad debt restructuring authority for Puerto Rico. We should not hold the people of Puerto Rico hostage to the rigidities of self-interested politicians, neither here nor in the territory. Consequently, I plan to support PROMESA, despite its shortcomings. I urge my colleagues to do the same. I

appreciate the honest and decent people of Puerto Rico and wish them the very best and hope this bill will help them get on the path that will cause that great and beautiful place to be even better.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TOOMEY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, I ask the Presiding Officer to advise me when I have used 25 minutes of my time.

The PRESIDING OFFICER. The Senator will be so notified.

Mr. MENENDEZ. Mr. President, I have come to the floor time and time again on this issue with a simple message: PROMESA, which is the Spanish word for promise, is not a promise; it is a power play leaving the people of Puerto Rico unable to manage their own government, make their own decisions, and do what they believe is necessary for their own future. In the case of Puerto Rico, we have decided not to help them make their own decisions but to take the powers of governing away from them.

While I have filed many amendments, unfortunately my colleagues seem to have thrown up their hands and said this bill cannot get any better, we will not even try to do the people's work and have actual debate and votes in the Senate.

I would note that calls for a thorough debate on the Senate floor were bipartisan in nature. I would remind my colleagues that each one of us was elected to this very Chamber to debate and enact legislation to improve the lives of Americans, and that includes the 3.5 million American citizens living in Puerto Rico.

I know proponents of the bill have argued, supporting an amendment process would force Puerto Rico to default and have serious repercussions for its people, but they are simply mistaken. The truth is, the legislation we are considering will include a retroactive stay on litigation, meaning any lawsuit filed before July 1 will be halted and any judgments unenforceable. As a matter of fact, any lawsuits that take place or any judicial decisions that take place, once the legislation is passed and signed by the President—it will be retroactive to December of last year. That will be stopped. As the bill states, the stay bars ''the commencement or continuation'' of suits to recover ''claims'' against Puerto Rico. It also bars ''enforcement . . . of a judgment obtained before the enactment'' of the bill.

In addition, section 362 of the Bankruptcy Code, which is incorporated by reference into this bill that we are considering, bars the ''enforcement . . . of a judgment obtained before'' filing for bankruptcy once the board files a bankruptcy petition on Puerto Rico's behalf to restructure their debt. Even if this apocalyptic scenario the proponents of the bill want to use to drive this bill through—if hedge funds win a judgment before the stay is enacted, that judgment cannot be enforced once the law is passed. Once the debt adjustment plan is confirmed, the judgment can actually be discharged.

The Third Circuit Court of Appeals, which has jurisdiction over Puerto Rico, held in 2012: ''Even if [an] injunction is not a claim [for purpose of the bar against 'commencement or continuation' of 'claims'], any action to enforce [an injunction] is subject to the stay and cannot proceed without relief from the stay.''

What does that basically mean? Any action to enforce is subject to the stay and cannot proceed without relief from the stay. The stay is the legislation we are passing. So all of this suggesting that we have to drive into a set of circumstances with a bad bill is not the reality.

Time is of the essence as it relates to Congress acting swiftly, but we shouldn't allow a somewhat arbitrary deadline to force through a fundamentally flawed bill, as the retroactive stay gives us the time to get it right. July 1 shouldn't be used as an excuse to abdicate our responsibilities as U.S. Senators.

Adoption of the motion to table, which I will make later, can still find a reasonable middle ground to truly help solve the crisis and the humanitarian catastrophe that awaits the people of Puerto Rico rather than simply ignoring their sovereignty and choosing the road to colonialism. While hope is getting dim, we still have one last opportunity to do right by the people of Puerto Rico. I will attempt to table a pending amendment in order to have the opportunity to replace that amendment if we succeed in going ahead and tabling it to get a vote on one of my amendments.

While that may seem a little bit confusing as a procedural vote, basically what I am saying is if you vote for my motion to table, you are giving me an opportunity to have an amendment I plan to offer in its place.

If we succeed, the majority leader might try to slip in another amendment, but at the end of the day, we will know the whole purpose of tabling is to offer an amendment to improve this legislation. Why must we improve this legislation? Let me go through what is wrong with this law.

This creates an oversight board. The board, according to the report by the House Natural Resources Committee—I did not say this; it is the official document of the House of Representatives, which passed this bill. It says: ''The board would have broad sovereign powers''—sovereign powers means it has total authority on its own—''to effectively overrule decisions by Puerto Rico's legislature, governor and other public authorities.'' These are the people who were elected by the 3.5 million citizens of Puerto Rico, U.S. citizens, to determine their future, but, no, the board is going to overrule them and have the sovereign power to do so.

Secondly, the oversight board ''can effectively nullify''—nullify means end—''any new laws or policies adopted by Puerto Rico that did not conform to requirements specified in the bill.'' The board can nullify a sovereign government's opportunity to pass laws as elected by the people. The consent of its government, the essence of democracy—well, we are nullifying that.

The control board, as I call it—and I will speak about why it is control and not oversight. These things speak to controls, not oversight. It says the control board ''may impose mandatory cuts on Puerto Rico's government and instrumentalities—a power far beyond that exercised by the Control Board established for the District of Columbia.'' Again, that is from the House Natural Resources Committee report—''a power far beyond that exercised by the Control Board established for the District of Columbia.''

They can say: Sorry, Puerto Rico, we know you put your budget together, we know the legislature passed it, and we know the Governor signed it, but we think you have to cut in these areas of education, you have to cut in these areas of health care, and you have to cut in these areas of public safety.

They have the power to decide mandatorily that these cuts must take place.

With respect to the government of Puerto Rico and its instrumentalities, which means subdivisions, it can make appropriate reductions in nondebt expenditures. That is very important. Anything that is considered as an expenditure to pay the debt is held sacrosanct and can't be touched, but as far as nondebt expenditures, this board can say: This is where you will make the cuts. What are those nondebt expenditures? They are education, health care, public safety, senior citizens, and all of the things we think about to protect the people in our society. It has sole discretion over the budget.

''The Oversight Board shall determine in its sole discretion''—a phrase used nearly 30 times throughout the bill, which means we are not defining what that means. Sole discretion, as commonsense, means they themselves can determine what is appropriate, whether each proposed budget is compliant with the applicable fiscal plan in their sole discretion even if that discretion is arbitrary and capricious. It has the sole discretion to grant or deny restructuring.

Why are we even considering legislation? The whole purpose of our legislation is to give Puerto Rico a pathway to restructuring in the bankruptcy court, where the bankruptcy court and the Federal laws would take over, but

we created a series of problems to that restructuring.

The oversight board certifies a plan of adjustment only if it determines in its sole discretion that it is consistent with the applicable certified fiscal plan. Again, they could be arbitrary and capricious.

This board, which has no representation from Puerto Rico that comes from the Puerto Rican people—it will have one person who either has their primary residence or their primary business in Puerto Rico, but they could have a primary business and not live there and make dictates about the people of Puerto Rico. And this person doesn't come from the Governor and legislature of Puerto Rico, representing the Puerto Rican people.

This board that has control over their entire lives, which includes their budgets, fiscal plan, the ability to make mandatory cuts, and the ability to impose all types of things that a governing body, in essence, would do—guess who pays for this oversight board, which includes seven unelected and unaccountable people? Puerto Rico pays for it.

''Within 30 days after the date of enactment, the territorial government shall designate a dedicated funding source''—meaning a source only to pay for this—''not subject to legislative appropriations.'' Guess what the estimate of that is. This is the Congressional Budget Office. It says Puerto Rico will have to pay about $370 million for this control board. Here is an island that doesn't have the money to meet some of the basic necessities that we heard so eloquently talked about on both sides of the aisle, but we are going to impose at least another $370 million—as is estimated by the Congressional Budget Office—on them for a control board that they have no say over.

They have no oversight over the control board. Neither the Governor, nor the legislature can exercise any control, supervision, or oversight, but they get to pay the $370 million, and they have to live with all the dictates of the control board even though they don't have representation.

To further make sure the control board is even more omnipotent, they put in a no-liability clause. ''The Oversight Board, its members and its employees shall not be liable for any obligation of or any claim against the Oversight Board or its members or employees or the territorial government resulting from actions taken to carry out this act.'' They have absolute immunity. Wow. Wouldn't we all like to have that.

My amendment is targeted at improving the most egregious flaws of this legislation. My amendment would ensure that the people of Puerto Rico have a voice in their future. The current legislation denies the Puerto Rican people any representation on a board that effectively replaces the decisionmaking powers of the legislative and executive branches of their democratically elected government. It imposes the board on Puerto Rico without ever consulting the people of Puerto Rico.

My amendment makes two critical changes to protect Puerto Rico's sovereignty and democratic rights. Under my amendment, if we get to it through the motion to table, Puerto Rico will decide for itself whether it will access restructuring and accept the control board, thus preserving the people's voice in the process.

Second, my amendment adds two additional voting members to the board chosen by the elected representatives of the people of Puerto Rico. These two additional members would be chosen by the President from a list of four candidates submitted by the Governor of Puerto Rico with the advice and consent of the Legislature of Puerto Rico. Republicans will still appoint the majority of members from an ideological perspective. I personally believe that all of the members of the board should be chosen by the people of Puerto Rico or their elected representatives, but I want to be reasonable and open to compromise, which is why my amendment only requires two members of a nine-member board to be chosen by Puerto Rico. Certainly we can all agree that the people who have to deal with all of the consequences of this board's decisions should have some say as to who is making those decisions.

My amendment would also protect senior citizens and avoid an increase in elderly poverty. PROMESA currently includes a vague and undefined requirement to provide adequate funding for public pension systems. Our amendment would ensure that senior retirees and pensioners are protected from the whims of the control board. After all, the retirees in Puerto Rico, who spent 30 years serving the island as police officers, firefighters, teachers, and nurses, didn't have any choice but to participate in the pension plan; it was mandatory. Unlike hedge funds that were able to pick and choose what investments to make and often bought bonds at pennies on the dollar, public servants had to participate in the pension system. They had no way of knowing that their nest egg, for which they worked their entire lives, was at risk of being taken away. They didn't contribute to the fiscal problems facing Puerto Rico, and they didn't borrow too much or fail to make annual contributions to the fund, so why should they lose their retirement funds?

Besides the fundamental flaws with the control board and the failure to provide critical protections for seniors and retirees, this bill also fails to provide a clear pathway to restructuring, which is the whole purpose of this legislation and this debate to begin with. The unelected control board created in this bill will have the ultimate authority to decide whether Puerto Rico's debts are even worthy of restructure.

Let's not fool ourselves into believing that is a sure thing, that this bill guarantees the island the ability to restructure its debts. Indeed, section 206 of the bill lists four gatekeeping requirements before any restructuring can occur. It must have engaged in good-faith efforts to reach a consensual agreement with creditors, it must establish a system to develop and make public timely audited financial reports, and it must adopt a fiscal plan approved by the board. But even if Puerto Rico meets and fulfills these requirements, there is still an additional, even higher hurdle it must meet to access restructuring. Instead, the fourth gatekeeping requirement in the PROMESA legislation requires a supermajority of a 5-to-2 vote by the control board in order for any of the island's debts to be restructured. When you call for a supermajority, it means that a minority of that seven—three people—may be ideologically opposed to the concept of restructuring or allowing Puerto Rico to get access to the bankruptcy court and could derail the island's attempts to achieve sustainable debt payments.

Without any authority to restructure its debt, all this legislation will do is take away the democratic rights of 3.5 million Americans and leave the future to wishful thinking and a prayer that the crisis will somehow be resolved.

Instead of leaving this critical decision up to the whims of a minority of the board, my amendment would provide a clear path to restructuring by removing this arbitrary vote requirement. Instead, under my amendment, the government or instrumentality would be able to restructure its debts once it completed the first three gatekeeping requirements. Since the main purpose of this bill is to give Puerto Rico the tools to restructure all of its debts, why would we leave this authority to chance?

In addition to the undemocratic control board and an obfuscated path to restructuring, I have serious concerns that the bill would actually increase poverty and out-migration rather than stem both. That is because it provides an exception to the Federal minimum wage for younger workers, and it exempts the island from recently finalized overtime protections. At a time when we are seeking to increase workers' wages, PROMESA goes in the opposite direction and actually cuts them.

It amazes me that the solution to getting Puerto Rico's economy growing again is to ensure that workers make even less money. Lowering people's wages is not a pro-growth strategy; it is a pro-migration strategy because anyone who lives on the island of Puerto Rico and is a U.S. citizen can take a JetBlue flight to the United States and will then have overtime and minimum wage protections. It they are a senior, they will have full Medicare protection. If they are indigent, they will have Medicaid protections. They would have just about everything every other U.S. citizen would have.

All these provisions would do is intensify out-migration to the mainland, where Puerto Ricans are eligible for everything I just discussed. That is why my amendment strips these offensive and unrelated riders out of this bill.

I urge my colleagues to support these commonsense improvements to the bill by voting for my motion to table.

I have known for the past several weeks—well, maybe months since I started coming to the floor in September of last year and then urgently several times in December of last year to say now is the time to act so we are not up against an emergent situation—but, no, I guess the 3.5 million citizens of Puerto Rico did not deserve the type of attention and urgency we, as Members of Congress, should have given to them. I understood that for that period of time, the deck was stacked against the people of Puerto Rico, but I am not ready to give up just yet.

Put simply, PROMESA exacts a price far too high for relief that is far too uncertain. If we throw our hands up in the air and refuse to make changes to this wholly inferior bill, which we can protect by the retroactive nature that we have already put in the legislation to stay any judgments, we will cast a dark shadow on the future of Puerto Rico.

A vote against tabling my motion, against tabling the pending amendment, is a vote to disenfranchise 3.5 million Americans. It is a vote to authorize an unelected and all-powerful control board that could close schools, shutter hospitals, and cut senior citizens' pensions to the bone. It is a vote to force Puerto Rico, without their say, to go $370 million further in debt to pay for this omnipotent control board which they don't even want. It is a vote to cut the minimum wage down to $4.25 per hour for younger workers in Puerto Rico. It is a vote to make Puerto Ricans work long overtime hours without fair compensation or protection. It is a vote to jeopardize collective bargaining agreements. It is a vote to cut worker benefits and privatize inherent government functions. It is a vote to place well-heeled hedge funds and creditors ahead of the people. It is a vote to give the board the power to sell off and commercialize natural treasures that belong to the people of Puerto Rico. And at its worst, it is a vote to authorize an unelected, unchecked, and all-powerful control board that determines Puerto Rico's destiny for a generation or more.

Let's be clear. The people of Puerto Rico find this board to be offensive and disrespectful. In fact, according to a recent poll commissioned by Puerto Rico's largest newspaper, El Nuevo Dia, 69 percent of all respondents opposed—69 percent—opposed the PROMESA bill—the bill we are voting on today—while 54 percent opposed the very idea of having an oversight board.

Their concerns are validated by the nonpartisan Congressional Budget Office which, as I said earlier, says:

> The board would have broad sovereign powers to effectively overrule decisions by Puerto Rico's legislature, governor, and other public authorities.
>
> [It can] effectively nullify any new laws or policies adopted by Puerto Rico that did not conform to requirements specified in the bill.

Even the bill's own author noted in the committee report: ''[T]he Oversight Board may impose mandatory cuts on Puerto Rico's government and instrumentalities.''

If the board, in its sole discretion, as the bill cites 29 times, uses the superpowers in this bill to make mandatory budget cuts that harm the people of Puerto Rico, there is nothing anybody from Puerto Rico can do about it.

And these powers aren't limited to just budget and fiscal policy. As the bill states in section 205, the control board can submit recommendations to the Governor on a wide range of issues, including how Puerto Rico organizes its government agencies, how they meet the pension obligations, what services the government delivers, how they determine wage performance standards, and, perhaps most egregiously, the control board can submit recommendations on ''the privatization and commercialization of entities within the territorial government.''

While this section calls these comments recommendations, another section allows the board to ''adopt appropriate recommendations'' submitted by the Oversight Board under section 205. So, in essence, they can adopt the very essence of what they are saying is a recommendation.

The board can decide to hold a fire sale and put Puerto Rican natural wonders on the auction block to the highest bidder. Is that what the people of Puerto Rico want? Is that what we want?

The fact is, this legislation puts balanced budgets and untested ideology ahead of the health, safety, and well-being of children and families similar to how the control board travesty unfolded in Flint. Without their voices represented on the control board, there is nothing the people of Puerto Rico will be able to do. The fact that the Puerto Rican people will have absolutely no say over who is appointed or what action they decide to take is clearly blatant neocolonialism.

I am afraid we are opening the floodgates for Puerto Rico to become a laboratory for rightwing economic policies. Puerto Rico deserves much more than to be the unwilling host of untested experiments in austerity.

I am not advocating to completely remove all oversight powers. To the contrary, I support helping Puerto Rico make informed, prudent decisions that put it on a path to economic growth and solvency. But despite its name, the oversight board envisioned by this bill doesn't simply oversee; it directs, it commands, it controls. The control board has final say on the fiscal plan, final say on the budget. It can veto laws, contracts, rules, regulations, executive orders. It can even mandate across-the-board budget cuts with no regard to the impact on the people.

So mark my words. If we don't seize this opportunity to address this crisis in a meaningful way, we will be right back here in a year, picking up the pieces. So while it is absolutely clear that we need to act and act decisively and expediently——

The PRESIDING OFFICER. The Senator has consumed 25 minutes.

Mr. MENENDEZ. I thank the Chair.

So while it is absolutely clear that we need to act and act decisively and expediently to help our fellow citizens—U.S. citizens in Puerto Rico—just as importantly, we need to get it right. Working together and helping each other in a time of need is what this country is all about. When a hurricane hits the Gulf Coast or a tornado ravages the Midwest or when we see wildfires in the West, or we see what happened in West Virginia, I don't stand here and ask how my constituents in New Jersey were affected. Rather, I stand with my fellow Americans and fight to provide relief, regardless of what State or territory they are from.

So it seems to me there is a reason we call this country the United States of America, and U.S. citizens enjoy the privilege of calling America home. The 3.5 million U.S. citizens in Puerto Rico are also part of that great American people.

As I have outlined, I have an amendment to make reasonable and targeted improvements to this legislation so that workers get the retirement they deserve, the people of Puerto Rico are protected from egregious attacks on their pay, the island has unimpeded access to restructure its debt, and, most importantly, the people of Puerto Rico have a say in their future—the consent of the governed, the very essence of what democracy is all about.

MOTION TO CONCUR WITH AMENDMENT NO. 4865

So, Mr. President, I move to table the motion to concur with amendment No. 4865, and I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. MENENDEZ. Mr. President, with that, I reserve the remainder of my time.

I yield the floor.

Mr. UDALL. Mr. President, once again, Congress has responded at the last possible moment to a dire issue—in this case, the debt crisis in Puerto Rico. Friday, July 1, is a critical deadline for the island Commonwealth, the date when Puerto Rico must repay $1.9 billion in debt service that it has repeatedly stated that it is unable to pay. If we had failed to act, over 3.5 million Americans would have faced an economic and humanitarian crisis.

The Commonwealth government has stated that, even after clawing back revenues from other parts of the public

sector like education, health, and public safety, it will not have sufficient resources to meet the entire debt service obligation due on July 1. That is just a few short days from now.

On January 27 of this year, I joined 44 of my colleagues in the Senate to urge Majority Leader MCCONNELL to work with us and swiftly enact legislation to give Puerto Rico access to the tools it needs to address the debt crisis. Over 150 days later, the Senate is only just beginning to act.

This Congress has dragged its feet on important issues, waiting until we are right up against dangerous deadlines to take critical action. Puerto Rico is just one example; funding to fight Zika is another. We saw these problems on the horizon long ago; yet the majority allowed the problem to build, permitted the crisis to grow, waited until the last minute, and, in doing so, restricted the Senate's opportunity to act.

The Senate has just passed the House-passed bill, the Puerto Rico Oversight, Management, and Economic Stability Act. I understand that this was a difficult issue on which the administration and Republicans and Democrats struggled to agree. This bill is far from perfect, but without it, the situation in Puerto Rico will worsen.

I share my colleagues' concerns about the unelected fiscal control board. Cuts to public services and public safety for the benefit of debt holders and financial speculators would be unacceptable. Also, just as Republicans tried to use funding to fight Zika as cudgel to push through cuts to the Affordable Care Act and reproductive health, they now are using the crisis in Puerto Rico to chip away at fundamental labor protections, such as overtime pay and the Federal minimum wage.

I supported the bill with these substantial reservations because it was critical to pass this legislation before July 1. The Senate would have been able to exercise its right of careful consideration and debate if this bill had been brought to the floor when we called for it in January. But today, the time was up. I urge Congress to stop this destructive pattern of procrastinating on difficult issues and waiting until the eleventh hour to act on critical issues.

The PRESIDING OFFICER. The Senator from North Dakota.

EXPORT-IMPORT BANK

Ms. HEITKAMP. Mr. President, I ask unanimous consent to display a replica of a wheel loader that is produced in North Dakota.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. HEITKAMP. Mr. President, it may seem like an odd request, but it actually has a purpose because it reflects literally hundreds of jobs in my State—really, hundreds of jobs across the country.

June 30 will be an anniversary that is really not worthy of celebration; that is, it is the anniversary of when we literally shut down the Export-Import Bank and made it unable to function for the first time in its 80-year history.

Now, that may not seem like a lot. It may not seem as though it is something we should be very concerned about, but I can tell my colleagues that workers across our country—workers who work in manufacturing, individuals whose livelihood depends on exports from our country—know the impact today of this action, or inaction.

Despite the fact that Congress reauthorized the agency six months ago, the Ex-Im Bank has been hamstrung from supporting American jobs and businesses because there isn't a quorum on the Ex-Im Bank. For decades, the Export-Import Bank has helped level the playing field for American businesses and American workers, and it is past time for politics to stop dictating whether, in fact, the Bank can do its job.

The current nominee to the Ex-Im Bank Board—the nominee that would, in fact, provide a quorum—was nominated not by a liberal Democrat, not by the President, but instead was the Republican nominee to the Ex-Im Bank Board. His name is Mark McWatters. His nomination is currently pending in the Senate Banking Committee, and the Senate Banking Committee chairman has told us in no uncertain terms he will not bring up the McWatters vote in the committee because of his own personal opposition to the Ex-Im Bank. Again, despite the fact that 64 Republican and Democratic Senators, along with 70 percent of the Representatives in the House of Representatives, voted last year to reauthorize the Ex-Im Bank.

If we do not take this step—if we do not, in fact, get the Bank up and running—we will continue to do what we have been talking about, which is pink-slipping the American manufacturing workers.

So here we are today to recommend that this body take action so that no more workers—no more hard-working manufacturing Americans—are prevented from doing their job and are given pink slips and laid off.

When we look at where we were last year and the challenges that we had, we had an all-out debate. A lot of people say there wasn't a debate on this; we didn't get a chance to air our grievances. That is strictly nonsense. We fought this issue very hard, had many, many floor debates, many, many floor discussions about this, and at the end of the day, the vast majority of this body voted to reauthorize and put the Ex-Im Bank back to work.

So why are we in the spot we are in today? Because we cannot do any credit over $10 million without approval of a bank board. It cannot be done unilaterally. As a result, many, many credits—in fact, $2 billion worth of activity—are pending in the pipeline at the Ex-Im Bank.

When we look at many of the big companies across this country, a lot of times people will say ''Well, that is just about this company or that company''; fill in whatever big name corporation you want to. But the bottom line is this isn't just about those companies; it is about a supply chain that goes all the way down States as small as North Dakota.

If you look at Boeing, for instance, and you look at what the impact is on Boeing and what that means for our producers, Boeing currently has 16 suppliers in North Dakota, which will lose out—not just could lose out but will lose out—if Boeing doesn't get enough support from the Ex-Im Bank to sustain its operations and to continue to produce its planes with American workers.

Today I bring this wheel loader to the floor of the Senate, and I do that because this demonstrates the effect that this lack of activity on this nomination will have on Case New Holland in my State.

Case New Holland has a dealer in New Jersey called Hoffman Equipment that has secured an $80 million deal with the country of Cameroon. The only way Cameroon can afford this deal is if they use Ex-Im financing. If the deal doesn't go through, facilities in three States will lose. So who are those? Take today North Dakota, where we produce these wheel loaders in Fargo.

The great irony of this is that as we have been challenged in our agriculture economy and agriculture manufacturing, guess what. Agriculture manufacturing is down, in part because we stimulated a lot of purchases back when the economy was good in farm country. But I will tell you that 70 people just in the last couple of weeks have been laid off at Case in Fargo.

Think of what is going to happen if we lose this sale. Think of what will happen to workers in Iowa if they lose the sale for the backhoes that are produced in Iowa by Case. Think about what is going to happen in Kansas if we lose the skid steer portion of that Cameroon sale.

I will tell you every day we are losing jobs because of the inability of the Ex-Im Bank to do its job in promoting and guaranteeing that American manufactured products find their way into the global marketplace.

GE announced in June that it will receive financing from the French export credit agency to support exports that will be made in France now rather than the United States. So the French credit export agency will be providing an additional line of credit for gas turbines that will be produced not in the United States but will be produced in France and exported to countries such as Saudi Arabia, Mexico, and Brazil. As a result, GE will invest $40 million in the French economy instead of investing $40 million in the American economy.

Do we know what that means? That means when we look at these jobs—just translate $40 million, and we recognize a lot of that is input costs, but one of

the major input costs in all of this is American workers. How can we stand by and let this happen? How can we stand by and not fight for these jobs for American manufacturers? There is no way we can come to the floor and say we are for the American worker and not be for the Export-Import Bank. No way can we come to the floor and say we are for global competition that will put the best products into the marketplace, which are American products, and not move the Bank forward.

I am going to yield to my friend from the State of Washington or yield to my friend from the great State of Iowa.

Ms. CANTWELL. Mr. President, I wanted to ask the Senator from North Dakota a question, if I could. I see she has been out here with an actual display.

It is quite amazing that we have to go to this level to bring up an issue about jobs in our economy, but I admire the dedication of the Senator from North Dakota in saying how important it is because we are about to go home for another summer recess here in a few weeks and everybody thought last year we were passing legislation that was going to secure America's place in a global economy by making sure that products we make can be sold in overseas markets.

The secret is, though, that there are now 30 transactions worth more than $20 billion that aren't getting done simply because one Senator refuses to let a nominee out of the committee. So one Senator is holding up the sale of a product of which Senator HEITKAMP has a replica on her desk. They are holding up the sale of airplanes, and they are holding up the sale of other products all because they don't want to have a functioning board. We are here to ask our colleagues on the other side of the aisle to help us break this logjam so we can sell export products.

I was curious to ask the Senator from North Dakota because she was mentioning how these transactions are happening now; that is, people are deciding to move.

Mr. President, I ask unanimous consent to have printed in the RECORD a New York Times article entitled ''A Single Senator Stymies the Export-Import Bank.''

It says that about 2 weeks ago, GE was making an announcement that they were going to expand manufacturing in France rather than in South Carolina, how they were investing in the Czech Republic instead of in Texas, and that jobs in South Carolina, Maine, and New York were also getting transferred to other countries.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 27, 2016]

A SINGLE A SENATOR STYMIES THE EXPORT-IMPORT BANK

(By Jackie Calmes)

WASHINGTON.—Thursday is an ignominious anniversary for the government agency that helps finance foreigners' purchases of American exports. Thanks to a single senator, it has been a full year since the 82-year-old Export-Import Bank could approve deals exceeding $10 million, a limit that rules out high-dollar deals on airplanes, power generators, heavy equipment and nuclear reactors.

More than 30 transactions worth more than $20 billion to American businesses are stuck awaiting assistance for their buyers, in the so far vain hope that Senator Richard Shelby, Republican of Alabama and once a bank supporter, will end his power play and allow the agency to fully function.

In turn, giants like General Electric and Boeing are shifting more operations and jobs abroad. Other nations' export-credit agencies are ''rolling out the red carpet,'' said John G. Rice, the G.E. vice chairman.

Last June 30, the so-called Ex-Im Bank two blocks from the White House closed its door to all new business after a faction of conservative Republicans, denouncing ''corporate welfare,'' blocked renewal of its charter.

In December, the bank's bipartisan supporters in Congress secured the agency's reopening, only to watch Mr. Shelby play what has proved to be a very strong hand. As chairman of the Senate Banking Committee, he bottled up President Obama's nomination of a third member for the bank's five-person board. Only the board can approve transactions of more than $10 million; without a quorum of three it cannot. The resulting seven-month impasse reflects both the long-standing power of a single senator to block action in that institution, and the more recent ascendance in the Republican Party of conservative populists—hostile to all things big, business and government—over once-dominant pro-business types.

''It's very troubling to me, and I think a lot of others, that one person can hijack a process and keep the export credit agency from functioning in the United States when two-thirds of Congress support it,'' Mr. Rice said.

Two weeks ago, G.E. announced it would expand manufacturing of gas turbines in France rather than Greenville, S.C., in return for French export financing for sales in countries including Saudi Arabia, Brazil and Mexico.

Last September, G.E. announced a flurry of moves: creating up to 1,000 jobs in the Czech Republic to produce turboprop aircraft engines; shifting 500 power-project jobs from Texas, South Carolina, Maine and New York to France, Hungary and China; promising 1,000 energy-sector jobs in Britain, whose export bank will finance up to $12 billion in G.E. sales to Brazil, Ghana, India and Mozambique; and relocating 350 engine manufacturing jobs from Waukesha, Wis., to a new factory in Canada. ''Is it going to put G.E. out of business? Absolutely not,'' Mr. Rice said. ''We can go to a plant in France, or a plant in Switzerland and Germany.'' But, he added, ''A lot of our suppliers can't come with us.''

Boeing is working with Britain's agency to finance airplane purchases for unspecified customers, on the condition that Boeing use Rolls-Royce engines. A company based in Bermuda canceled a contract for satellites, a company in Singapore declined Boeing's bids to sell satellites and Ethiopian Airlines wrote the manufacturer that the lack of Ex-Im Bank financing threatened ''our ability to purchase Boeing aircraft in the future.''

Mr. Shelby was unavailable over several days to discuss the issue, a spokeswoman said. She instead provided a statement that the senator ''believes that his actions are in the best interest of the American taxpayer.''

''Nearly 99 percent of all American exports are financed without the Ex-Im Bank,'' it said, ''which demonstrates that the bank is more about corporate welfare than advancing our economy.'' The bank makes money, through proceeds from its loans and insurance lines, but conservatives cite the risks to taxpayers. The bank's chairman, Fred P. Hochberg, said he had not talked with Mr. Shelby all year, adding, ''In Washington, not returning a call is an art form.''

The Ex-Im Bank was created during the Depression as a lender of last resort for exporters' foreign customers that cannot get commercial loans. More than 60 countries followed the United States' lead. China's export credit operation is by far the largest.

By one measure, the lack of a quorum at the American bank would not seem a problem. In recent years, about 98 percent of applications for help have been for loans under $10 million. But in dollar terms, two-thirds of all assistance has gone for deals exceeding that amount, mostly for customers of big-item manufacturers like Boeing, G.E., Caterpillar, Westinghouse and John Deere.

The bank's backlog of 30 transactions does not even count a multibillion-dollar deal for Westinghouse to build six nuclear reactors in India that was announced this month by President Obama and India's prime minister, Narendra Modi. That, too, will need a functioning Ex-Im.

''We will certainly need a quorum at the bank for the project's completion,'' said Courtney A. Boone, a Westinghouse spokeswoman.

Especially in the developing world, some countries require that exporters bidding for sales have backing from an export credit agency. So some American companies are seeking or accepting support from foreign agencies, which in turn require bidders to create jobs in their countries. Boeing did win a contract with VietJet for 100 American-made aircraft, a deal announced during Mr. Obama's visit to Vietnam in May. Financing will be arranged closer to delivery, leaving open the question of whether the Ex-Im Bank will help.

Foreign carriers like VietJet ''continue to believe that the United States wouldn't be so foolish as to dismantle its Export-Import Bank,'' said Tim D. Neale, a Boeing spokesman. ''But the other issue is to what degree does this have a chilling effect on ongoing sales campaigns for future deliveries?'' Also in May, a Boeing official at its facility in Alabama publicly criticized Mr. Shelby, saying he was putting local jobs and suppliers at risk.

Mr. Shelby has stood firm, endearing him to conservative anti-government groups crusading to close the bank—and known to spend freely against politicians who cross them. Their blessing was especially important to the senator as he faced a conservative challenger in Alabama's March Republican primary. Mr. Shelby suggested to colleagues and reporters that he would let his committee act on the Ex-Im board nominee afterward. ''He said, 'I can't do this before the primary,' '' said Senator Sherrod Brown of Ohio, the senior Democrat on the banking committee. ''We took that to mean he'd do it after he won his primary.''

Yet Mr. Shelby continues to block Senate confirmation of J. Mark McWatters, formerly an aide to the Republican chairman of the House banking committee.

Senate Democrats recently tried to force a Senate vote, bypassing Mr. Shelby's committee, but they needed the Senate's unanimous consent. Mr. Shelby objected, without further word. ''This is old school politics, right?—'I'm the chairman and I can decide,' '' said Senator Heidi Heitkamp, Democrat of North Dakota.

She added, ''I don't go to bed worrying about the executives at Boeing or G.E., because guess what? They have options. The American worker doesn't have options.''

Ms. CANTWELL. The whole point of the export credit agency is to give U.S. manufacturers the credit.

My point is that these products are agriculture based. If the Senator from North Dakota could explain, these aren't agricultural manufacturing products, but she is saying that there are also large-scale U.S. manufacturing products out of agriculture that also are not getting credit financing?

Ms. HEITKAMP. Absolutely, and if we don't move with haste, if we don't supply on time, we won't get the business.

The PRESIDING OFFICER. The time of the Senator from North Dakota has expired.

Ms. CANTWELL. Mr. President, do I have time reserved in the consent agreement?

The PRESIDING OFFICER. The Senator from Washington has 10 minutes.

Ms. CANTWELL. I yield whatever time for our discussion to continue of that 10 minutes.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Why I think it is absolutely critically important to make this point, not just about what we produce but who produces it, is because at the end of the day, 95 percent of all potential consumers do not live in this country, and America still remains the best and most treasured producer of quality construction equipment in the world.

These are jobs that have helped my manufacturing sector that is dependent on agriculture, which has huge challenges right now. If we can't produce tractors that farmers are going to buy, we can produce construction equipment that everyone can buy to build infrastructure in their countries. There is a narrow view in this Congress, but 67 Senators voted to open up the Export-Import Bank and over 70 percent of the House of Representatives said: This is nonsense; let's open up the Export-Import Bank. Yet we are unable to do it because credit over $10 million cannot be moved forward without the approval of the Bank Board, and the Bank Board cannot operate without a quorum. That is the bottom line.

Ms. CANTWELL. Mr. President, I wish to ask the Senator from North Dakota just one more question, because I want to make sure she continues to make her point and I know we have a colleague waiting. Aren't we here right now today to ask our colleagues that when we come back after July 4 and we have 2 weeks, we dedicate ourselves to this?

It is not every day that the Senate can be involved in an activity that creates so much economic value—$20 billion in job creation—but we can get this done. So we are here asking our colleagues to step up and help us resolve this issue in whatever way possible.

If someone doesn't want to let a nominee out of committee because they made a promise to somebody, that is fine. Let's put language somewhere in a product that is moving. We can look at the FAA bill. We can look at anything. But to go home for the recess, all the way through the month of August—leaving those farmers without economic closure to a deal that has been inked, to a sale that has been made, to jobs that are being created—because you won't let somebody have an operating majority on a board seems like a very drastic step. Is that why the Senator from North Dakota is here, to ask our colleagues to step up to the plate and help us resolve this before the July recess?

Ms. HEITKAMP. I thank Senator CANTWELL. That is why I am here. But I am also here to ask my colleagues to be empathetic, to understand what it would feel like if you were employed in a gas turbine business in one of the Carolinas and that business went to France because we couldn't figure out how to open up the Bank. How would you feel?

I think it is so important to not just reflect on our trade deficit but on the imperative of building our manufacturing base and our export base. If that is not enough of an economic argument, let's look at the microargument. Let's look at what is happening to American families because we aren't getting our job done here. So, as I said before, I don't go to bed worrying about the executives at GE or Boeing because they have options and they are exercising those options. Those options include moving to Canada and France. The American worker is not going to be moving to France to take those jobs. That American worker is getting a pink slip, and that is wrong. That is wrong in so many ways.

So I thank Senator CANTWELL for her steadfast and absolute commitment to opening up the Bank. I think everybody should have a moment of personal reflection, not just on the economics of this but on the impact this is having on literally thousands of American families.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I want to share my concerns about the Puerto Rico legislation we're considering.

I've been involved with this issue for quite a while now. This past December I chaired a hearing in the Judiciary Committee to examine the root cause of Puerto Rico's fiscal problems. At the hearing we learned that even when Puerto Rico's economy took a downturn, government spending did not.

Instead of making difficult decisions to cut spending and balance its budget, the government kept borrowing to finance its operations, using tax-exempt bonds to roll over debt. As a result, Puerto Rico now has one of the largest government deficits in the United States, and debt we're told isn't payable and must be restructured.

As many of you know, a wide array of investors own Puerto Rican bonds, which are issued by roughly 17 different entities. According to Bloomberg, Puerto Ricans themselves hold $20 billion of the debt.

Nearly 60 percent of Puerto Rico's debt is held largely in the individual retirement accounts and 401(k)'s of regular folks throughout the U.S. In fact, over 17,000 Iowans are invested in mutual funds containing at least one type of Puerto Rican bonds.

These folks aren't vultures. They are middle-class taxpayers who invested their hard-earned money into one of the many tax-exempt municipal bond funds containing Puerto Rico's bonds.

Why should they be forced by Congress to bailout Puerto Rico's government and pension obligations? The answer is they shouldn't, but unfortunately, there is no guarantee that these hardworking folks' investments, whether in Iowa or elsewhere, won't be haircut in order to fund pension obligations or Christmas bonuses for public workers in Puerto Rico.

This didn't have to be the case. At our December hearing I stated two principles that have guided me as this issue has progressed.

First principle, any inclusion of debt restructuring or bankruptcy should occur only at the end of the line, as a tool of last resort. Otherwise the control board will face too great of a temptation to use bankruptcy to balance the budget, as opposed to implementing all available means to increase and collect revenues, while reducing expenses within government.

Second principle, it would be a bad idea for Congress to permit Puerto Rico to walk away from its constitutional debt obligations through what some call an unprecedented super chapter 9 bankruptcy.

In fact, I received a letter from Governor Branstad of Iowa stating that granting Puerto Rico such authority ''would set a dangerous precedent and likely raise the borrowing costs for States and municipalities across the nation, which would reduce our ability to invest in vital services and erode investor confidence in the whole notion of 'full faith and credit' debt.''

Unfortunately, the House bill fails to meet the two principles I have outlined above. First, the bill operates under the presumption that the only way to balance the budget is to restructure debt.

This means that the oversight board will have more flexibility to avoid making difficult fiscal reforms to balance the budget, because the debt can simply be restructured.

In fact, one of the oversight board's first responsibilities is to create a fiscal plan that ''provides adequate funding for public pension systems'' and includes a ''debt sustainability analysis.'' Neither of these terms are defined. The oversight board may very well read these terms as permitting full funding of pensions, while only funding ''sustainable levels of debt service.''

Not surprisingly, this is exactly what the Obama administration seeks to accomplish: protecting pensions at the

expense of other retirees. The effect this bill has for retirees in Iowa and elsewhere is that they must place their trust in an oversight board to act courageously and make hard decisions, lest they find themselves bailing out Puerto Rico's government.

Second, no matter what the House bill calls it, title III's debt restructuring authority, which allows for the restructuring of debt that is issued or guaranteed by Puerto Rico, is super chapter 9.

Investors and the municipal bond market have treated Puerto Rico like a State. Granting Puerto Rico the authority to restructure ''state-like'' obligations will be viewed as precedent for giving a State similar authority. Of course, no State is going to ask to be covered by the House bill. Rather, they will say if a territory can receive unprecedented authority from Congress, then why shouldn't a State? Illinois is watching this issue very closely.

Moreover, by creating this new authority Congress has invited material litigation risk.

Worst case, should the law be found unconstitutional under the Takings Clause, then the Federal government would be liable for money damages—the very definition of a bailout. And increased litigation will cause uncertainty, which is the last thing needed in Puerto Rico, making it impossible for Puerto Rico to access the capital market for years.

If that occurs, then mark my words, sooner or later we'll be considering whether to provide direct federal financial assistance to Puerto Rico, despite the claims that this bill doesn't result in a taxpayer bailout.

And given that Puerto Rico has failed to provide Congress with accurate financial information regarding their fiscal crisis, this unprecedented and risky authority appears both unnecessary and unjustified.

Given the bill's failure to satisfy the two requirements I have laid out, which unduly harm retirees in my State, and more importantly, while also setting bad precedent, I can't support this bill.

Perhaps my concerns will be proven wrong and the bill will work perfectly. But it's been my experience that bad facts make for bad law.

Unfortunately, I fear we are simply pushing this problem down the road and have failed to address the root cause of Puerto Rico's fiscal crisis at the expense of uncalled for risks and precedent.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DAINES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. DAINES. Mr. President, I ask unanimous consent that the Senate recess until 4:40 p.m., with the time during the recess being charged to the Republican side.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Thereupon, the Senate, at 4:20 p.m., recessed until 4:40 p.m. and reassembled when called to order by the Presiding Officer (Mr. GARDNER).

NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Tennessee.

(The remarks of Mr. ALEXANDER and Mr. CORKER are printed in today's RECORD during consideration of S. Res. 516.)

The PRESIDING OFFICER. The Senator from Louisiana.

(The remarks of Mr. VITTER pertaining to the introduction of S. 3120 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. VITTER. Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Texas.

ZIKA VIRUS FUNDING

Mr. CORNYN. Mr. President, about 24 hours ago our Democratic friends filibustered an appropriations bill for $1.1 billion that they themselves had said was an emergency, denying mothers pregnant with babies potentially like this one depicted here from suffering the devastating birth defects associated with microcephaly. You can see the shrunken skull associated with a shrunken brain—a devastating impact. This is the principal danger of the Zika virus, which heretofore had been limited to South America and Central America, places like Puerto Rico, sadly, and Haiti. The mosquito that carries this virus is native to Texas, Louisiana, Florida, and the southern most parts of the United States. So far the only cases—save one recently in Florida—of infection from the Zika virus have been from people who traveled to those regions and then returned to the United States. As I said, it appears there has been one reported case in Florida that has been contracted on the mainland of the United States.

I simply do not understand how the Democratic leader from Nevada and his colleagues could turn this public health crisis into a political circus. When a pregnant woman contracts Zika, it can cause microcephaly like this. Of course, you can imagine, even if you are just a woman of childbearing age, the possibility that you might contract Zika—not knowing how long that virus remains in your body—would cause tremendous anxiety. You can imagine what this devastating birth defect does not only to the baby involved but to the families who must necessarily support them.

This condition is tragic. It can cause seizures, intellectual disabilities, hearing and vision problems, and developmental delays, and of course a premature death. That is the kind of life that awaits these children and the families of children born with microcephaly if they are fortunate enough to survive. As I mentioned yesterday, it was reported that a child with microcephaly was born in Florida. In this case, I stand corrected. That was not as a result of a mosquito bite in the United States, but rather the mother contracted the virus while in Haiti and traveled back to her home in Florida.

The simple point is, this is playing with fire. It was just a few weeks ago, actually May 23, 2016, when the Democratic leader insisted we immediately fund the President's request of $1.9 billion in emergency funding. He said:

> Instead of gambling with the health and safety of millions of Americans, Republicans should give our Nation the money it needs to fight Zika and they should do it now. Not next month, not in the fall—now.

I think the urgency Senator REID was expressing was felt by all of us, but we know there is a right way and a wrong way to appropriate money in the U.S. Congress. We have to pass legislation in the Senate, we have to pass legislation in the House, and then we have to come together in a conference committee to reconcile those differences. It is the conference report that is the product of a negotiation between the House and the Senate that funded this effort at the level that actually passed the Senate just a few short weeks ago. Every single one of our Democratic friends voted for funding the Zika crisis at $1.1 billion. Yet yesterday, all but I believe one of our Democratic colleagues then voted against the very funding they said was an emergency back at the end of May.

We know given the warmer weather in the southernmost part of the United States and the fact that the mosquito that carries this virus is native to the southern part of the United States—we know this risk is on our doorstep, and it is really shameful our Democratic colleagues put politics ahead of sound public policy.

Here are some of the excuses they gave, and none of them withstand any sort of scrutiny.

First of all, they said: Well, this doesn't provide enough money, even though all of them voted for funding at this level of $1.1 billion. They know that if in fact the public health needs in the country are significant enough that more funding is necessary, there will be an opportunity at some point, after due deliberation and discussion and appreciation for the nature of the problem and what the proper response would be for us to act again—but they already voted for funding at this level.

The next bogus argument is that this is somehow an attack on women's

health; specifically, on Planned Parenthood. The fact is, there is not a word of Planned Parenthood in this bill. You will look in vain for the word ''Planned Parenthood'' because it is simply not there. What the Appropriations Committee decided to do and what the Senate and House working together decided was to direct funding for contraceptive birth control purposes to community health centers. It didn't exclude Planned Parenthood. In fact, if you are a Medicaid beneficiary, Planned Parenthood is a Medicaid provider and you can get those services provided at Planned Parenthood.

The other bogus argument is somehow there are environmental protection concerns. Well, the very virus that causes this terribly devastating birth defect is carried by mosquitoes. Why in the world would our colleagues across the aisle interfere with efforts to try to kill more mosquitoes before they cause this sort of devastating birth defect? This legislation doesn't erode environmental protections. It provides targeted regulatory relief to combat mosquitoes that carry this virus for a short period of time by making more insecticides available to public health officials like those in Houston I visited with recently who said part of their frontline effort to combat this virus is to kill mosquitoes, and it has informed the public that if you have pooling water in a flower bed or somewhere that can be a breeding ground for mosquitoes, you need to be attentive to that and eliminate that place where mosquitoes can breed and propagate.

So there is simply no good reason to deny funding to mothers who are worried about the possibility that they may contract the Zika virus that results in the devastating birth defects like that exhibited by Laura here. That is her name, Laura. She is 3 months old.

I hope when we come back next week, as the majority leader has said, the Democratic colleagues who voted against this emergency funding bill they so ardently had insisted upon for so long will have another chance to vote. I hope in the interim our friends across the aisle will search their souls—really their consciences—and they will have maybe a little twinge of regret for having voted to deny the funding for development of a vaccine and insect control and for research so we can learn more about this virus so we can learn how to combat it more effectively. That is what they denied us yesterday. That is what they denied women like Laura's mother who need this money so this doesn't happen to anybody else's child.

Mr. President, in just a few moments, we are going to have a chance to vote on a fiscally responsible bill to help Puerto Rico better take care of its economy. We know the government of Puerto Rico has gotten themselves into an impossible situation—$70 billion of debt that its government can't repay. We can all think about reasons they shouldn't have done that, and obviously it is fiscally responsible to do so, but they are in dire financial trouble, and they are going to have some $2 billion of payments they owe on July 1 to avoid defaulting on the debt.

I have been here long enough to know what happens when there is a fiscal crisis, and Puerto Rico is after all part of the United States. Puerto Ricans are American citizens. I have been here long enough to know that in an emergency setting with a fiscal financial crisis, one of the first things that happens is people will come to Congress and say: Can you provide a bailout—a bailout using taxpayer dollars. Well, a good thing—maybe the best thing—about the legislation we are getting ready to pass, which passed in the House of Representatives, is that not one penny of tax dollars is going to be used to deal with this financial crisis in Puerto Rico. You can look at the Congressional Budget Office score. They scored zero in terms of expenditure of tax dollars for bailing out Puerto Rico.

Some of us have seen ads on television that claim this bill is a bailout. Those are run by the very hedge funds that enjoyed the profits from investing in Puerto Rican bonds that are going to take a haircut because of the restructuring of that debt. Of course they are going to try to discourage us from trying to do anything about it, but we shouldn't listen to the hedge funds on Wall Street and the people who have gotten rich investing in these risky bonds. We ought to do right by all American taxpayers and make sure they are protected from a run on the Treasury by passing this legislation. As we know, this legislation would establish a Federal oversight board that would help to restructure their debt and going forward help them get on a fiscally responsible path because what our fellow citizens in Puerto Rico need most is an economy that is growing, creating jobs and opportunities so people can live where they were born, if they want to. They can stay there. Many of them have been leaving the island for some time because, frankly, it has turned into a fiscal and health-related nightmare.

I am glad we advanced this bill a little bit earlier today. We need to pass it and get it to the President's desk. I realize it is not perfect. I know many of us wish we had an opportunity to offer amendments and constructive suggestions, but given the timing for both the deadline for default on July 1 and the fact that we did not get this bill from the House until recently, we are on this constrained timeline, which makes it hard, if not impossible, to offer additional amendments, but it is important we pass this legislation and get our work done.

We will have a chance to vote on three matters. We will have an effort by the Senator from New Jersey to tear down the so-called amendment tree so he can offer some additional amendments. Those amendments are measures such as eliminating some of the protections that I think are necessary to make this bill a better bill.

Then we are going to have a budget point of order. I talked to the chairman of the Budget Committee. He said the budget point of order is a technicality because it has more to do with jurisdictional matters and not the fact that it busts the budget. In fact, this bill doesn't spend a penny—net—of Federal taxpayer dollars. Finally, we will have a chance to vote on final passage and then get it up to the President's desk.

I hope our colleagues will work with us. We had 68 votes on the earlier vote earlier today. I hope we will have a big vote in favor of fiscal responsibility, in favor of legislation that would avoid the potential for a taxpayer bailout, and demonstrate that we can simply work together on a bipartisan basis to pass good legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

TRIBUTE TO FEDERAL EMPLOYEES

BRIAN KULESKI AND AMALIE ZEITOUN

Mr. CARPER. Good afternoon, Mr. President.

For more than a year now, I have come to the Senate floor on a pretty regular basis. One of our colleagues sitting here I think is the Presiding Officer's relief, and he has heard me come and talk about some of the great work that is being done by some of the 225,000 men and women who work for us at the Department of Homeland Security.

As you know, the Department of Homeland Security is made up of some 22 component agencies, has more than 220,000 employees all over the world. These men and women perform some of the toughest jobs in the Federal workforce, including from stopping drugs from crossing our borders to protecting our cyber networks from hackers, to securing nuclear and radiological materials. The Department of Homeland Security has a diverse, complex, and difficult mission. In fact, they have a lot of really tough missions. Each and every day tens of thousands of Department of Homeland Security employees work quietly and diligently behind the scenes to achieve their mission which, at its core, is helping to keep 300 million of us in this country safe as we go about our daily lives.

One of the smaller teams within the Department of Homeland Security—and one that punches above its weight—is called the Domestic Nuclear Detection Office. Let me say that again. It is not one we heard of very much. It is called the Domestic Nuclear Detection Office. As you might imagine, we have an acronym for them. It is called D-N-D-O, but I am not going to use that acronym today because I don't like acronyms, especially ones that are rarely used. The Domestic Nuclear Detection Office has a staff of only 125 people out of the 220,000 that make up DHS, but they are responsible

for keeping all of us safe from the threats posed by radiological and nuclear materials.

From tracking known radioactive materials to supplying detection equipment to Federal, State, and local law enforcement, to conducting research and building better detection technologies, the men and women at this office play an integral role in our Nation's effort to, No. 1, detect radiological materials and, No. 2, to keep them from falling into the wrong hands.

Very shortly we will see to my left some images of just a few of the technologies that are used at this agency and also a few of the employees who work there as they try to detect and track some of the most dangerous materials that are known to mankind. On the top half of this poster, we will see a couple of images. One is a field agent who is using mobile detectors mounted on a jeep to determine if a substance is radioactive or not. The other shows radiation portal monitors. These are right over here. Some of you have been to our border. At the border crossings between this country and others, you will see them, and you will see them at our ports too.

The second image is the radiation portal monitor, these tall yellow posts that are stationed at the ports of entry and exits that can passively scan. They can scan cars, they can scan trucks, and they can even scan shipping containers as they pass through between those tall yellow posts at our borders.

The men and women at the Domestic Nuclear Detection Office are charged with detecting and reporting unauthorized attempts to import, possess, store, develop, or transport nuclear or radiological material. They rely heavily on strong partnerships with local, State, Federal, and tribal law enforcement to achieve this mission. They act as a force multiplier as they equip thousands on the frontlines with the resources and with the knowledge they need to protect our communities from nuclear and radiological threats.

One of the individuals who takes on this task every day is a fellow named Brian Kuleski. As an operational support program analyst, Brian oversees detection operations in eight States and one U.S. territory.

Brian Kuleski makes sure that first responders have the training to coordinate and carry out detection operations, whether at a major event or in a sudden emergency. Through regular training, exercises, and strategic planning, Brian Kuleski gives our first responders the tools they need to protect some of our most vulnerable areas from the threat of nuclear materials.

Before joining the Department of Homeland Security, Brian worked for the Florida Department of Transportation as a State police officer. In that role he was supporting to detect and track radiological materials throughout his State. He conducted radiological and nuclear detection operations at over 18 large-scale events, including the 2009 Super Bowl, the 2008 World Series, and the 2008 Republican Governors Association conference.

Throughout Brian's career, he has earned the respect of his colleagues and is recognized as an authority on radiological and nuclear detection. Through his thoughtful leadership and, I am told, a little bit of humor along the way, Brian has helped Federal agencies and State and local law enforcement work together as one team to protect against terrorist attacks.

To Brian and to his team, we want to say a very big thank you today and every day.

While Brian and his team are hard at work tracking nuclear material and stopping it before it enters our borders, others within the Domestic Nuclear Detection Office are working to track the sources of these materials so they can cut off the pipeline before it ever becomes a threat in the United States.

When Brian or anyone in the Federal Government detects and confiscates nuclear materials, they are delivered to the National Technical Nuclear Forensic Center at this agency. The experts there use advanced technologies to break down and analyze the origins of nuclear and radiological materials.

In the bottom half of these images to my left, you can see some of the sophisticated technologies in these two frames right here. We can see some of the sophisticated technologies that we need to analyze the materials and track their sources. By the way, operating this state-of-the-art scientific equipment and instruments requires years of training and education.

With the right information, employees of this office can track materials to their source, find out who produced those materials, and arrest the criminals who buy, sell, or transport them.

This is an essential part of our efforts to keep nuclear and radiological materials away from terrorists whom we know would like to use them in an attack against our country.

One Domestic Nuclear Detection Office employee charged with making sure that we are the best in the world at tracing the origins of nuclear material is Amalie Zeitoun. Amalie serves as a program analyst with the National Technical Nuclear Forensic Center, overseeing nine university and National Laboratory initiatives. Amalie is responsible for hiring the best and the brightest in the field of nuclear forensics.

Since 2008, Amalie has hired 42 Ph.D.s for our nuclear forensics workforce. These individuals work every day to improve our technologies and to help us track down the sources of these dangerous materials. Her continued work will ensure that we continue to attract and retain some of the top scientists in the world.

Partnering with our detection experts in the field, like Brian and his team, the forensics experts hired by Amalie help State and local law enforcement track down and bring to justice those who seek to traffic nuclear material and sell it to criminals and to terrorists.

Without Amalie's efforts to keep our technology and expertise moving in the right direction, detection experts in the field, such as Brian, and countless first responders and law enforcement personnel across our country would have a lot more material to track and a much harder job ensuring the safety of our communities.

Amalie's colleagues describe her as the ultimate team player. She works tirelessly to bring together government agencies in the academic community to make sure we are the best in the world at tracking nuclear material. She is intently focused on maintaining our abilities and reaching the goals set for her program, knowing that failure to reach them will make it much more difficult for Brian to achieve his goals. As a country, it is to our benefit that many say Amalie rarely takes no for an answer.

Both Brian and Amalie are the ultimate team players. With just 125 employees, the Domestic Nuclear Detection Office can't be everywhere at once. It requires everyone—Federal agencies, State and local law enforcement, emergency planners, and even the academic and scientific community. Together we can do more with less, continuously improving our training and equipment, and staying one giant leap ahead of the bad guys who seek to use these materials to harm Americans here at home.

To Brian, to Amalie, to all of the folks with whom they work at the Domestic Nuclear Detection Office and to everyone around the country who helps detect and track nuclear and radiological materials, we thank each of you. We thank the members of your team, and we thank you for coming together to keep the rest of us safe.

To all of you, we say thanks, and God bless.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PERDUE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I yield back all our time.

The PRESIDING OFFICER. All majority time is yielded back.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I yield back all the minority time.

The PRESIDING OFFICER. All time has been yielded back.

MOTION TO CONCUR WITH AMENDMENT NO. 4865

Under the previous order, the question is on agreeing to the motion to table the motion to concur with amendment No. 4865.

The yeas and nays have previously been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. MANCHIN) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 54, as follows:

[Rollcall Vote No. 114 Leg.]

YEAS—44

Baldwin	Heinrich	Paul
Bennet	Heitkamp	Peters
Blumenthal	Hirono	Reed
Booker	Kaine	Reid
Boxer	Klobuchar	Sanders
Brown	Leahy	Schatz
Cantwell	Lee	Schumer
Cardin	Markey	Shaheen
Carper	McCaskill	Stabenow
Casey	Menendez	Tester
Coons	Merkley	Udall
Cruz	Mikulski	Warren
Durbin	Murphy	Whitehouse
Franken	Murray	Wyden
Gillibrand	Nelson	

NAYS—54

Alexander	Ernst	Moran
Ayotte	Feinstein	Murkowski
Barrasso	Fischer	Perdue
Blunt	Flake	Portman
Boozman	Gardner	Risch
Burr	Graham	Roberts
Capito	Grassley	Rounds
Cassidy	Hatch	Rubio
Coats	Heller	Sasse
Cochran	Hoeven	Scott
Collins	Inhofe	Sessions
Corker	Isakson	Shelby
Cornyn	Johnson	Sullivan
Cotton	King	Thune
Crapo	Kirk	Tillis
Daines	Lankford	Toomey
Donnelly	McCain	Vitter
Enzi	McConnell	Wicker

NOT VOTING—2

Manchin	Warner

The motion was rejected.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Let's have everybody stay close to the Chamber because the next three votes are going to be 10 minutes each.

I ask unanimous consent that the votes following this vote we just completed be 10 minutes in length.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MOTION TO CONCUR

Under the previous order, the question is on agreeing to the motion to waive all applicable budget provisions for the motion to concur.

The yeas and nays have previously been ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. MANCHIN) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 85, nays 13, as follows:

[Rollcall Vote No. 115 Leg.]

YEAS—85

Alexander	Flake	Nelson
Ayotte	Franken	Paul
Barrasso	Gardner	Peters
Bennet	Gillibrand	Portman
Blumenthal	Graham	Reed
Blunt	Grassley	Reid
Boozman	Hatch	Risch
Burr	Heinrich	Roberts
Capito	Heitkamp	Rounds
Cardin	Heller	Rubio
Carper	Hirono	Sasse
Casey	Hoeven	Schatz
Cassidy	Inhofe	Schumer
Coats	Isakson	Scott
Cochran	Johnson	Sessions
Collins	Kaine	Shaheen
Coons	King	Shelby
Corker	Kirk	Stabenow
Cornyn	Klobuchar	Sullivan
Cotton	Lankford	Thune
Crapo	Leahy	Tillis
Cruz	Lee	Toomey
Daines	McCain	Udall
Donnelly	McCaskill	Vitter
Durbin	McConnell	Whitehouse
Enzi	Mikulski	Wicker
Ernst	Moran	Wyden
Feinstein	Murkowski	
Fischer	Murphy	

NAYS—13

Baldwin	Markey	Sanders
Booker	Menendez	Tester
Boxer	Merkley	Warren
Brown	Murray	
Cantwell	Perdue	

NOT VOTING—2

Manchin	Warner

The PRESIDING OFFICER. On this vote, the yeas are 85, the nays are 13.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Under the previous order, all postcloture time is yielded back.

MOTION TO CONCUR WITH AMENDMENT NO. 4865 WITHDRAWN

Under the previous order, the motion to concur with an amendment is withdrawn.

VOTE ON MOTION TO CONCUR

The question is on agreeing to the motion to concur in the House amendment to S. 2328.

Mr. THUNE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. MANCHIN) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 30, as follows:

[Rollcall Vote No. 116 Leg.]

YEAS—68

Alexander	Casey	Donnelly
Ayotte	Cassidy	Durbin
Barrasso	Coats	Enzi
Bennet	Cochran	Feinstein
Blumenthal	Collins	Fischer
Blunt	Coons	Flake
Burr	Corker	Franken
Cardin	Cornyn	Gardner
Carper	Crapo	Gillibrand
Graham	Leahy	Rubio
Hatch	McCain	Schatz
Heinrich	McCaskill	Schumer
Heitkamp	McConnell	Sessions
Hirono	Mikulski	Shaheen
Hoeven	Murphy	Stabenow
Inhofe	Nelson	Sullivan
Isakson	Paul	Thune
Johnson	Peters	Toomey
Kaine	Reed	Udall
King	Reid	Vitter
Kirk	Risch	Whitehouse
Klobuchar	Roberts	Wyden
Lankford	Rounds	

NAYS—30

Baldwin	Ernst	Perdue
Booker	Grassley	Portman
Boozman	Heller	Sanders
Boxer	Lee	Sasse
Brown	Markey	Scott
Cantwell	Menendez	Shelby
Capito	Merkley	Tester
Cotton	Moran	Tillis
Cruz	Murkowski	Warren
Daines	Murray	Wicker

NOT VOTING—2

Manchin	Warner

The motion was agreed to.

STOP DANGEROUS SANCTUARY CITIES ACT—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 531, S. 3100.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 531, S. 3100, a bill to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 531, S. 3100, a bill to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.

Mitch McConnell, Tom Cotton, Shelley Moore Capito, Mike Crapo, Thad Cochran, Jerry Moran, John Thune, John Hoeven, David Perdue, Orrin G. Hatch, Daniel Coats, Pat Roberts, John Barrasso, Bill Cassidy, Patrick J. Toomey, John Boozman, John Cornyn.

Mr. MCCONNELL. Mr. President, I withdraw the motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

STOP ILLEGAL REENTRY ACT—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 276, S. 2193.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 276, S. 2193, a bill to amend the Immigration and Nationality Act to increase penalties for individuals who illegally reenter the United States after being removed and for other purposes.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 276, S. 2193, a bill to amend the Immigration and Nationality Act to increase penalties for individuals who illegally reenter the United States after being removed and for other purposes.

Mitch McConnell, David Perdue, Pat Roberts, John Thune, Dan Sullivan, Roy Blunt, Chuck Grassley, Thom Tillis, Steve Daines, Jeff Sessions, John Barrasso, John Boozman, Richard Burr, Mike Lee, Tim Scott, Deb Fischer, Joni Ernst.

Mr. MCCONNELL. Mr. President, I withdraw the motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2015

Mr. MCCONNELL. I ask the Chair to lay before the body the message to accompany S. 764.

Mr. SANDERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Reserving the right to object, I have a parliamentary inquiry.

Is one of the acts in this overall bill entitled the Defund Planned Parenthood Act of 2015?

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. I know that was a parliamentary inquiry.

Mr. SANDERS. Excuse me, I would like an answer to my question, please.

Regular order. I asked the question.

The PRESIDING OFFICER. The Defund Planned Parenthood Act is part of the House message to the Senate.

Mr. SANDERS. In other words, sir, the Defund Planned Parenthood Act of 2015 is part of the legislation we are voting on; is that correct? Yes? No? Maybe?

The PRESIDING OFFICER. Would the Senator please restate his inquiry?

Mr. SANDERS. Yes. Is it possible that, as part of the legislation that the Senator from Kentucky has introduced, that there is a title in there called the Defund Planned Parenthood Act of 2015?

Is that title in the legislation we are voting on?

The PRESIDING OFFICER. The language in question is part of the House amendment.

Mr. SANDERS. Thank you very much.

I ask that that language be withdrawn right now.

Mr. MCCONNELL. Mr. President, would the Senator yield? I think I can clear up his concern.

Mr. SANDERS. No, I really won't yield. My request is that that language be withdrawn now with unanimous consent.

Mr. LEAHY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The majority leader has the floor.

Mr. SANDERS. I believe I have the floor.

Mr. MCCONNELL. Mr. President, if I may, I think we have explained this to everybody over and over again. Let me try again.

The Roberts amendment that I will offer is a complete—a complete—substitute for the underlying language that concerns some of our colleagues on the other side.

Mr. LEAHY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. LEAHY. Parliamentary inquiry: Notwithstanding what the majority leader has said, the legislation he brought up would defund Planned Parenthood; is that correct, if it was accepted?

The PRESIDING OFFICER. That is not a judgement for the Parliamentarian.

Mr. LEAHY. Parliamentary inquiry: Would that be a position for the United States Senate if we were allowed to vote on it?

Ms. STABENOW. Parliamentary inquiry, Mr. President.

Mr. LEAHY. Could I get an answer to my parliamentary inquiry?

Ms. STABENOW. Excuse me. I am sorry.

Mr. MCCONNELL. Mr. President, Parliamentary inquiry.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. If I were to offer the Roberts amendment that will be a complete substitute for the underlying language, would it not alleviate the concern that our colleagues on the other side have?

The PRESIDING OFFICER. The question before the Senate would be the amendment offered by the majority leader.

Mr. LEAHY. Further Parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The House can respond in whatever manner it chooses.

Mrs. BOXER. What does that mean?

Mr. LEAHY. Parliamentary inquiry, Mr. President: If the majority leader were to withdraw the House bill to defund Planned Parenthood and replace it with the Roberts GMO bill, would the acceptance of that be a debatable motion before the Senate? Not asking how we should vote, but would that be a debatable motion?

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Who has the floor?

The PRESIDING OFFICER. The majority leader has the floor.

Mr. MCCONNELL. All right. It is my understanding that I don't have the authority to withdraw a House amendment. What I am doing here, if our friends and colleagues on the other side will let me, is to offer a complete substitute for that, which is the Roberts amendment, which I think everybody understands the content of.

Mr. SCHUMER addressed the Chair.

The PRESIDING OFFICER. The Roberts amendment would be the question before the Senate. The House would have to respond to the Senate substitute.

Mr. LEAHY. Mr. President, further Parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. If the majority leader were to withdraw the Planned Parenthood amendment and put in the Roberts amendment, which has not been previously debated, would a vote on acceptance of that be a debatable issue?

The PRESIDING OFFICER. The majority leader may not withdraw House language. He can only propose an amendment to the substitute or concur in that amendment. Those are debatable questions.

Mr. LEAHY. Mr. President, further parliamentary inquiry.

Mr. President, if my friend the majority leader were to be able to do what he has proposed, would the resolution of that matter, then, be a matter of debate before the body under the normal Senate of rules?

The PRESIDING OFFICER. Yes, the motion to concur is debatable.

Mr. LEAHY. I thank the Presiding Officer.

Mrs. BOXER. Parliamentary inquiry. Mr. President, Parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I just want to understand where we are, because there is a lot of angst and discomfort, and I want to say to Senator HIRONO, who happened to read what we are voting on, which I really appreciate, and called it to our attention—— is it the Presiding Officer's view, in answer to Senator LEAHY and Senator SANDERS, that the Senate has no ability to strike the title called the Defund Planned Parenthood Act of 2015 at this time; that we do not have the ability to do this? Could we not do it by unanimous consent or would that not be allowed as well?

The PRESIDING OFFICER. The Senate does not strike language; it proposes amendments.

Mrs. BOXER. So if I were to make a unanimous consent request—further parliamentary——

The PRESIDING OFFICER. Which amendment could be a complete substitute replacing that language.

Mrs. BOXER. Even the title?

The PRESIDING OFFICER. The title amendment is a separate question.

Mrs. BOXER. So the title will remain; is that correct? Even after the majority leader does what he says he is going to do, the title called Defund Planned Parenthood Act of 2015 would remain; is that correct?

The PRESIDING OFFICER. The short title is part of the amendment.

Mrs. BOXER. I am sorry. I am trying to get an answer. I didn't hear it.

The PRESIDING OFFICER. The Chair is trying to answer.

The short title is part of the amendment to the House which the majority leader's proposed amendment would replace.

Mrs. BOXER. So the title would no longer be in the bill; is that correct?

The PRESIDING OFFICER. That depends on the action of the House in response to the Senate amendment on the bill.

Mrs. BOXER. So the House is going to determine whether or not to remove this title: ''This Act may be cited as the 'Defund Planned Parenthood Act of 2015.' ''

I just say to my friends, I don't know why the majority leader chose to bring up this shell. He could have brought up any other shell. We should vote no on this.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Regular order has been called for.

Is there objection to laying down——

Mr. MCCONNELL. Mr. President, parliamentary inquiry.

What is the title of the bill?

The PRESIDING OFFICER. The clerk will read the title of the bill.

The legislative clerk read as follows:

S. 764, entitled ''An Act to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.''

Mr. MCCONNELL. Mr. President, we have many disputes around here over major issues, but I am perplexed by where we are.

What I am trying to do is to offer a complete substitute, the Roberts amendment—and I think everybody understands what that is. I must say I don't think there is a single person in America who would think any of our colleagues over here would vote to defund Planned Parenthood.

We are not trying to trick anybody. We are trying to get to the Roberts amendment, and I am offering a complete substitute for a bill with a title that I don't think sounds particularly offensive from a Democratic point of view. I am perplexed as to what the problem is here.

Mr. SCHUMER. Would the majority leader yield for a question?

The PRESIDING OFFICER. The majority leader has made a motion.

The Senator from New York.

Mr. SCHUMER. Would the majority leader yield for a question?

Mr. MCCONNELL. I will be happy to yield to the Senator from New York.

Mr. SCHUMER. So once the majority leader strikes everything but the title about whatever it was, the words ''Planned Parenthood'' will not appear in the bill before us at all; is that correct?

Mr. MCCONNELL. Yes. My understanding is it will not be in there at all.

Mr. SCHUMER. Thank you, Majority Leader.

Mr. LEAHY. Mr. President, may I make a further——

Mr. MCCONNELL. Regular order, Mr. President.

Mr. LEAHY. Parliamentary inquiry.

The PRESIDING OFFICER. The question is on the laying down of the message to accompany S. 764.

Mr. LEAHY. Parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The majority leader has the floor.

Will the majority leader yield for a parliamentary inquiry?

Mr. MCCONNELL. Regular order, Mr. President.

The PRESIDING OFFICER. Regular order has been called for.

Mr. LEAHY. Mr. President, would the majority leader yield for a question?

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mrs. ERNST. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Illinois (Mr. DURBIN), the Senator from West Virginia (Mr. MANCHIN), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 29, as follows:

[Rollcall Vote No. 117 Leg.]

YEAS—68

Alexander	Donnelly	McCaskill
Ayotte	Enzi	McConnell
Baldwin	Ernst	Moran
Barrasso	Feinstein	Nelson
Bennet	Fischer	Perdue
Blunt	Flake	Peters
Boozman	Franken	Portman
Brown	Gardner	Risch
Burr	Graham	Roberts
Capito	Grassley	Rounds
Carper	Hatch	Rubio
Casey	Heitkamp	Sasse
Cassidy	Heller	Scott
Coats	Hoeven	Sessions
Cochran	Inhofe	Shaheen
Collins	Isakson	Shelby
Coons	Johnson	Stabenow
Corker	King	Thune
Cornyn	Kirk	Tillis
Cotton	Klobuchar	Toomey
Crapo	Lankford	Vitter
Cruz	Lee	Wicker
Daines	McCain	

NAYS—29

Blumenthal	Markey	Sanders
Booker	Menendez	Schatz
Boxer	Merkley	Schumer
Cantwell	Mikulski	Sullivan
Cardin	Murkowski	Tester
Gillibrand	Murphy	Udall
Heinrich	Murray	Warren
Hirono	Paul	Whitehouse
Kaine	Reed	Wyden
Leahy	Reid	

NOT VOTING—3

Durbin	Manchin	Warner

The motion was agreed to.

The PRESIDING OFFICER. The Chair lays before the Senate a message from the House of Representatives.

The legislative clerk read as follows:

Resolved, That the bill from the Senate (S. 764) entitled ''An Act to reauthorize and amend the National Sea Grant College Program Act, and for other purposes,'' do pass with an amendment.

Pending:

McConnell motion to concur in the House amendment to the bill with McConnell (for Roberts) amendment No. 3450 (to the House amendment to the bill), in the nature of a substitute.

McConnell motion to refer the bill to the Committee on Commerce, Science, and Transportation.

The PRESIDING OFFICER. The majority leader.

MOTION TO REFER WITHDRAWN

Mr. MCCONNELL. Mr. President, I withdraw the motion to refer to the Committee on Commerce.

The PRESIDING OFFICER. The motion is withdrawn.

MOTION TO CONCUR WITH AMENDMENT NO. 3450 WITHDRAWN

Mr. MCCONNELL. I withdraw the motion to concur in the House amendment to S. 764 with a further amendment, No. 3450.

The PRESIDING OFFICER. The motion is withdrawn.

MOTION TO CONCUR WITH AMENDMENT NO. 4935

Mr. MCCONNELL. I move to concur in the House amendment to S. 764 with the Roberts substitute amendment that strikes and replaces the House amendment.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to concur in the House amendment to S. 764 with an amendment numbered 4935.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk on the motion to concur with amendment.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment with

an amendment to S. 764, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

Mitch McConnell, Mike Crapo, John Thune, Richard Burr, James M. Inhofe, Pat Roberts, Lamar Alexander, John Barrasso, Thad Cochran, Deb Fischer, Shelley Moore Capito, John Boozman, Thom Tillis, David Perdue, Jerry Moran, John Hoeven, Roger F. Wicker.

Mr. MCCONNELL. I ask for the yeas and nays on the motion to concur with amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4936 TO AMENDMENT NO. 4935

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 4936 to amendment No. 4935.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end, add the following:

This Act shall take effect 1 day after the date of enactment.

MOTION TO REFER WITH AMENDMENT NO. 4937

Mr. MCCONNELL. I move to refer the House message on S. 764 to the Committee on Agriculture with instructions to report back forthwith with an amendment numbered 4937.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to refer the House message on S. 764 to the Committee on Agriculture, Nutrition and Forestry with instructions to report back forthwith with an amendment numbered 4937.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. MCCONNELL. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4938

Mr. MCCONNELL. I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 4938 to the instructions of the motion to refer S. 764.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end, add the following:

This Act shall take effect 3 days after the date of enactment.

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4939 TO AMENDMENT NO. 4938

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 4939 to amendment No. 4938.

The amendment is as follows:

Strike ''3 days'' and insert ''4 days''.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 524, H.R. 5293.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 524, H.R. 5293, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 524, H.R. 5293, an act making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes.

Mitch McConnell, Tom Cotton, Shelley Moore Capito, Mike Crapo, Thad Cochran, Jerry Moran, Richard C. Shelby, John Hoeven, Lamar Alexander, Orrin G. Hatch, Daniel Coats, Pat Roberts, John Barrasso, Bill Cassidy, John Thune, John Boozman, John Cornyn.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum calls for these cloture motions be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Alaska.

FUNERAL OF FREDERICK CHARLES ''BULLDOG'' BECKER IV

Ms. MURKOWSKI. Mr. President, last week I had the opportunity to pay tribute to a gentleman by the name of Fred Becker. We knew him lovingly and affectionately as ''Bulldog.'' He was a veteran and a veterans activist. He passed away on June 11.

This past Friday, Bulldog's remains were interred at Fort Richardson in Anchorage. He occupied a very special place in my heart, so it was important that I be there to attend those services. It was really quite a spectacle. Bulldog was a leader of several veterans motorcycle groups. So there were more than 100 of his fellow veterans—all on bikes—who accompanied the remains to the final resting place there at Fort Richardson Cemetery. But if that were not special enough, in and of itself, there were several hundred airmen and soldiers—some say 400—that were lined up once you went through the gates there on Fort Richardson. About every 10 feet, there was an airman or a soldier for almost 2 miles into where the ceremony was. These individuals were there to pay tribute to a man who every day—every day—worked to show respect to other veterans and worked to ensure that the service and the sacrifice of those veterans would never be forgotten.

So at every ceremony—whether it was Veterans Day or Memorial Day or a salute to the military or to the change of command and at every retirement—Bulldog was there. So it was so inspiring to be there and to see the tribute paid to this amazing man.

It was Col. Brian Bruckbauer, who is the commander of the 673rd Air Base Wing at Joint Base Elmendorf-Richardson, who organized this extraordinary tribute, and I would like to take this opportunity to express my appreciation to Colonel Bruckbauer, his fellow leaders at JBER, and the soldiers and airmen who came out on Friday afternoon.

CELEBRATING TALKEETNA'S CENTENNIAL

Mr. President, coming up this next week, on July 4, the historic community of Talkeetna, AK, which sits just at the base of Denali, will celebrate the 100th anniversary of its founding. Talkeetna sits at the confluence of three glacially fed rivers. Originally settled by the Dena'ina people, it was an important location for fishing and hunting. The name Talkeetna derives from a Dena'ina word which means ''river of plenty.''

The gold rush of 1896 brought prospectors to the area. In 1905, gold was discovered in the Yentna-Cache Creek mining district to the west of town. Sternwheeler riverboats traveling up the Susitna River docked at Talkeetna, establishing the town as a supply center for the local mining districts.

Then came the Alaska Railroad. In 1914, President Wilson signed a law enabling the construction of the railroad from Seward to Fairbanks. Talkeetna was then designated as the district headquarters for railroad construction, increasing its population by about 400 people at the outset. Then, that grew to 1,000 people at the peak of construction. In December of 1916, the Talkeetna Post Office was opened, which really established it.

By 1923, railroad construction was complete and the population of Talkeetna dropped to only a few dozen people. But the few dozen that stayed were determined to make a go of it. Talkeetna remained a mining supply hub. The railroad deposited a sufficient number of gold miners to support local mining supply businesses.

Fast forward to the 1960s. In 1963, astronomers declared Talkeetna the best place in the United States to see the total solar eclipse. That brought about 2,000 people into town. The visitors then boarded the train to see what was then called ''Mt. McKinley.''

In 1964, a spur road was constructed connecting Talkeetna to the newly built Parks Highway, which is the artery connecting Anchorage and Fairbanks to Denali National Park. Suddenly, Talkeetna was open to road access. The State of Alaska then sold land for market value to those who wanted to settle in the area. Those who settled in Talkeetna found a steadily growing visitor industry awaiting them. Talkeetna has become a destination for mountaineers from around the world. Today, 1,100 to 1,250 people attempt to climb the mountain each year.

The first stop for adventurers planning to climb is the National Park Service's Talkeetna ranger station. The ranger station is named for Walter Harper, who was an Athabascan Indian, and he was the first person to reach the summit of Denali—20,310 feet up. The second stop is one of the many air taxi services that call Talkeetna home for a ride up to the base camp.

While the climbing season may be short—basically late April to early July—the visitor season continues through Labor Day. Talkeetna is a popular stop for cruise tour and independent visitors traveling the Parks Highway en route to Denali National Park.

But Talkeetna is no ''glitter gulch,'' as we in Alaska sometimes say. It is a thriving year-round community numbering some 876 people, with an active arts community, its own public radio station, and a quirkiness that is perhaps unique to Talkeetna. There are probably not too many towns that can actually boast that their mayor is a cat—a cat.

OK, Stubbs is the honorary mayor of Talkeetna. He is not really and truly the official mayor. He is the honorary mayor. He was elected back in 1997. Stubbs has had that position for all 19 years of his life. He is quite well-known and has quite the notoriety. Stubbs greets visitors at Nagley's Store. Nagley's was founded in 1921. It is one of Talkeetna's original businesses and is listed on the National Register of Historic Places. It is part of a historic district that runs roughly 2 blocks by 3 blocks.

Visitors who choose to spend this Independence Day in Talkeetna will be treated to a rich hometown experience amidst the splendor of one of Alaska's most picturesque and interesting places. I am told Talkeetna's centennial celebration will provide visitors an opportunity to enjoy the town as the locals do.

I was hoping to make it up to Talkeetna. I am probably not going to be able to do so. But I might be able to make the run from Wasilla, AK, to attend the moose-dropping event at 4 o'clock in the afternoon. It is an annual tradition on the Fourth of July, where we take a collection of moose droppings, drop them, and bet on them. So we have an interesting mayor, and we have interesting festivals, but it is the heart of gold that comes from the people in this beautifully picturesque and, again, amazing place. It is a great honor to celebrate Talkeetna's Centennial today in the Senate.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I also want to congratulate the people of Talkeetna. I wish I could go myself to the moose-dropping thing, and I want to see that before I die.

Mr. President, I thank Senator WHITEHOUSE for giving me this time.

COLLEGE WORLD SERIES

Mr. President, in 3 minutes, the final game of the championship round of the College World Series takes place. Coastal Carolina is playing the University of Arizona.

Coastal Carolina is a relatively small school in Myrtle Beach. Dustin Johnson is a graduate and won the U.S. Open. But if you have been watching the College World Series, this baseball team is inspiring. Arizona and Coastal Carolina have had two great games. Tonight is the rubber match, winner takes all. I don't know what is going to happen. If Coastal Carolina falls short, we have won in every way we could win. It has been the most exciting World Series I can remember: South Carolina won back-to-back world championships.

Coastal Carolina, I know everybody in South Carolina is very proud, all the fans are very excited, and the best pitchers are on the mound tonight. So go Chanticleers. I am going to go home and watch the baseball game.

I thank Senator WHITEHOUSE for letting me say that.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I was delighted to let Senator GRAHAM celebrate an achievement by his home State university. I was pleased to yield him the time.

CLIMATE CHANGE

Mr. President, I am here, as the Presiding Officer knows, for the 142nd time to urge Congress to wake up to the threat of climate change. We are asleep at the wheel in Congress, heading toward climate catastrophe.

Of course, outside this Chamber there is broad support for responsible climate action from the American people and from every major scientific society. Indeed, 31 of them just sent us a letter this week, reminding us to get off our duffs and pay attention to the science. Virtually every one of our home State universities, our National Laboratories, NASA, NOAA, and the military, national security, and intelligence leadership of our country—if they are all wrong, that is one heck of a hoax.

Frustratingly, Congress is still fogged in by a decades-long, purposeful campaign of deliberate misinformation from the fossil fuel industry and its allies. And since Citizens United, that misinformation campaign is backed up by unprecedented special interest political artillery.

Outside the fossil fuel industry, there is of course broad support for action on climate change across corporate America. Leading businesses and executives vocally supported President Obama on the Paris Agreement. Many are committed to getting onto a sustainable energy path. More than 150 major American firms signed the American Business Act on Climate Pledge. Many are pushing their commitment outside of their corporate walls through their supply chains, but against these Americans corporate efforts on climate stand two major forces that claim to represent American business: the Wall Street Journal editorial page and the U.S. Chamber of Commerce.

The Wall Street Journal editorial page claims to speak for the business community, small business owners, and industry titans alike, but it is way off base from the business community's commitment to addressing climate change. Its editorial page is constantly wrong about climate change, from misstating the science of climate change, to misstating the costs versus benefits of climate action, to misstating the law when carrying the industry's water to oppose civil investigations into whether the industry climate denial scheme amounts to fraud.

It is not new. The Journal has a well-worn playbook for defending polluting industries. Look at its commentaries over time on acid rain, on the ozone layer, and of course now on climate change. It is always wrong, and worse, there is a pattern, a formula: Deny the science, question the motives of those calling for change, exaggerate the costs of taking action, and, above all, protect the polluting industry.

I have said all of this before, but now there is a study that quantifies it. Climate Nexus's recent analysis of the Wall Street Journal's editorial page shows ''a consistent pattern that overwhelmingly ignores the science, champions doubt and denial of both the science and effectiveness of action, and leaves readers misinformed about the consensus of science and of the risks of the threat.'' The analysis finds the opinion section has ''done its readers a disservice by consistently ignoring or ridiculing the scientific consensus on the reality and urgency of climate change.''

The editorial page's bias, which is out of sync with virtually every single major scientific body, ''cannot help but hinder its readers' ability to make accurate assessments of the risk climate change poses to their businesses.''

Specifically, Climate Nexus's analysis found that of 201 editorials relating to climate science or policy dating back to 1997, not one explicitly acknowledges that fossil fuels cause climate change. Of the 279 op-eds published since 1995, 40 reflect mainstream climate science, a paltry 14 percent. And of 122 columns published since 1997, just 4 accept as fact that fossil fuels cause climate change or endorse a policy to reduce emissions—out of 122 columns, 4. It is laughable.

Between April 2015 and May 2016, when global heat records were falling with regularity, the Journal published 100 climate-related op-eds, columns, and editorials. Only 4 op-eds provided information reflecting mainstream climate science, and 96 pieces in the Journal's opinion section failed to acknowledge the link between human activity and climate change. Even ExxonMobil and Charles Koch admit that link. Last January, for example, the page called recent extreme weather ''business as usual,'' while clinging to the bogus ''hiatus'' argument that global temperature increases had halted.

The Climate Nexus report illuminates a series of advertisements that have been placed—where? On the Wall Street Journal editorial page, calling attention to this preposterous bias.

The first one reads: ''Exxon's CEO Says Fossil Fuels Are Raising Temperatures and Sea Levels. Why won't the Wall Street Journal?'' The copy below goes on to say ExxonMobil has called for a carbon price, and they have.

> The CEOs of BP, Shell, Total, Statoil, BG Group and ENI call climate change ''a critical challenge for our world'' and have also called for a price on carbon.
>
> It is time for the editorial board of the WSJ to become part of the solution on climate change.

The next one says: ''Carbon Dioxide Traps Heat on Earth.'' It goes on to say:

> This isn't controversial. The head of Exxon Mobil and most major oil companies agree, along with every scientific academy in the world.

Again, a fact.

The next one: ''The Earth Has Warmed. And We Did It.'' It goes on to say:

> [W]e've known for more than a century that adding more heat-trapping carbon dioxide to the atmosphere from fossil fuels would warm the planet.

And we have known that. We have known that since Abraham Lincoln was President.

> So it's not surprising that the planet keeps getting warmer (although you may not have seen this fact on this page).

And, of course, ''Despite what you may have heard, there has been no 'pause.' ''

All of that is solid, clear science.

The next ad: ''What Goes Up Doesn't Come Down. CO_2 Emissions Stay in the Atmosphere for Centuries.'' And they do one other thing that this advertisement mentions as well: The CO_2 emissions, when they are in the atmosphere above the oceans, react chemically with the oceans. This is a reaction that you can replicate in a high school chemistry lab. This is not debatable, negotiable science. This is known, established science. It says oceans are acidifying as a result, and they are. We measure that, and we are measuring the fastest increase in acidification in the ocean in 50 million years.

The one that follows: ''Your Assets are at Risk. Beware the Carbon Bubble.''

> If you thought the housing bubble and crash of 2008 were bad, consider the carbon bubble: A ticking time-bomb for fossil fuel company investors.
>
> This is why so many conservative economists want to put a ''price'' on carbon to speed the clean energy transition while allowing the markets to cushion and adjust.

Of course that is true. Every single conservative or Republican who has fought the climate change problem through to the solution has come to the same solution, which is a revenue-neutral price on carbon.

Here we go, the most recent ad: ''The Free Market Solution to Climate Change.''

> The CEOs of oil giants Exxon, BP, Royal Dutch Shell, Statoil, Total, Eni, and BG Group have all called for carbon pricing. So have the leaders of [many countries around the world].
>
> Wall Street Journal columnist Holman W. Jenkins calls a revenue-neutral carbon tax ''our first-best policy, rewarding innovations by which humans would satisfy their energy needs while releasing less carbon into the atmosphere.''

Those are the advertisements that have been put on the Wall Street Journal editorial page. Unfortunately, it takes people paying for space on the Wall Street Journal editorial page to get the truth about climate change told on the Wall Street Journal editorial page. These are straightforward, broadly accepted statements of the science of climate change.

So if the Wall Street Journal editorial page isn't acknowledging the views of credentialed experts, whom is it representing? Back to the Climate Nexus report, and I quote:

> [T]he Wall Street Journal consistently highlights voices of those with vested interests in fossil fuels . . . presenting only the dismissive side of the climate discussion. . . . [T]hat undermines a reader's ability to effectively evaluate climate risk, objectively assess potential solutions, and balance the two.

The report calls the short shrift given to climate change ''a failure of journalistic responsibility.'' Look at its commentary on acid rain, on the ozone layer, and on climate change—always the same, always wrong. You have to wonder what service the Wall Street Journal editorial page is providing to its readership, since its record seems to rule out truth or balance or factuality. Maybe the short answer is that the service the Wall Street Journal editorial page is providing isn't a service to its readership.

Let's turn to the other miscreant. You might wonder as well what service the U.S. Chamber of Commerce provides to its members who have responsible climate change policies. The U.S. Chamber is the largest lobbying organization in the country, and its power in Congress is fully dedicated to stopping any serious climate legislation. Everybody here sees the Chamber's hostility to climate legislation everywhere.

My and Senator WARREN's offices recently took a look at the lobbying positions of the U.S. Chamber of Commerce compared with the positions of its own board members. With Senators BOXER, SANDERS, BROWN, MERKLEY, BLUMENTHAL, and MARKEY, we released a report on our findings. Not one of the 108 Chamber board members we contacted would endorse the U.S. Chamber's lobbying on climate change—not one. Our investigation found that roughly half of the companies represented on the Chamber's board actually have strong pro-climate action positions, which contrast sharply with the Chamber's lobbying activities.

We also found the Chamber's decisionmaking about these policies to be awfully murky. The Chamber describes its board as its ''principal governing and policymaking body,'' but not one Chamber board member asserted that they were fully aware of and able to provide their input and views to the Chamber regarding its actions on climate. There was no sign of a board vote or any formal input. One company indicated it was ''not advised of any campaigns'' and was ''not aware of any processes'' to lobby against climate action by the Chamber of Commerce. Another company reported that ''the issues raised . . . have not been discussed during the short time [it has] been a member of the organization.''

The Chamber has aggressively lobbied for climate policies that are directly at odds with science, public health, public opinion, and—with the results of this recent research, it turns out—with most of its own board members. Again, the question comes, whom are they serving?

The Center for Responsive Politics—a nonprofit, nonpartisan research group that tracks money spent on elections and lobbying—found that in 2015 alone, the Chamber spent roughly $85 million on lobbying efforts. That is more than twice the amount spent by the second highest lobbying spending organization.

Think for a moment of the progress we could make here if the Chamber's lobbying muscle actually aligned with the positions of the businesses the U.S. Chamber of Commerce purports to represent. We don't see that. Instead, we see the bullying menace of the fossil fuel industry holding sway in these

Halls. It appears to have captured the Chamber. It appears to control the Wall Street Journal editorial page.

On the other side, there is virtually zero corporate lobbying effort for a good bipartisan climate bill. The result here is not surprising. Indeed, it is quite predictable when all the artillery is on one side of a fight—all the artillery on the side of the fossil fuel industry. The result is that Members of Congress who know better are afraid to act.

Too many good companies are AWOL on climate change in Congress. Too many have farmed out their lobbying to groups like the Chamber of Commerce that actually oppose their corporate climate policies. Too many will not speak up or answer back when the Wall Street Journal editorial page purports to speak for them but emits only polluter nonsense.

Duty calls. Duty matters. It is time for private sector leaders to step up and tell Congress that those twin appendages of the fossil fuel industry do not represent corporate America on climate change. There is a change that could not come too soon.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMPREHENSIVE ADDICTION AND RECOVERY ACT

Mr. PORTMAN. Mr. President, I rise tonight to talk about an issue that is facing every single State represented in this Chamber and every community in America. Over the past week, we have talked about the potential Zika epidemic and the need for us to address that, and I agree, but there is another epidemic that is already here, and that is this issue of prescription drugs and heroin and the addiction that follows.

Far too many overdoses are occurring in our communities. There are people who are losing their lives. There are casualties beyond the overdose deaths. There are people who have seen their families broken apart because of the addiction, and because the drug becomes everything, they are unable to go to work.

We have seen the devastation in our communities in terms of the crime and violence connected with the drug trade, and we have seen, unfortunately, babies increasingly born with addiction. These babies are in every neonatal unit in America. I know these babies are in every one of the hospitals in my home State of Ohio. There has been a 750-percent increase in the number of these babies in the State of Ohio in the last dozen years.

It has gotten to the point where deaths from overdoses from heroin and prescription drugs, opioids, now exceed the deaths from auto accidents. It is the No. 1 cause of accidental deaths in my home State of Ohio. Based on the latest data I have seen, I believe that is now true for our entire country. Ohio has been particularly hard hit. We are probably in the top five based on all the data I have seen. My State is probably No. 1 in the country in terms of a particular kind of overdose, a synthetic form of heroin called fentanyl. It is devastating. On average, 129 people die every day from these overdoses.

That is why this Senate, over the last 3 years, has worked hard to pull together legislation that addresses this issue. It specifically says: Let's figure out smarter and better ways to have better education, prevention, treatment, and recovery to help our law enforcement be able to deal with this problem.

We worked with 130 groups around the country, all of whom have now endorsed the legislation we spent 3 years putting together. We had five conferences here in Washington. We brought in experts from around the country. We didn't do it in a bipartisan way; we did it in a nonpartisan way. In other words, we didn't care who had the idea—Democrat, Republican, Independent. It didn't matter. What mattered was whether it was a good idea and whether it would help to address this growing epidemic we are facing in our States and around the country.

That legislation passed the U.S. Senate. It was on the floor for about 2½ weeks. There was a long debate, but at the end of that debate, after people became familiar with this issue—some of whom were already very familiar with this issue; some of whom, frankly, were not in this Chamber—many of them would go home and talk about this legislation. They learned more about it from their communities, their schools, and their firehouses. When they came back, after 2½ weeks of debate, the vote for this legislation called the Comprehensive Addiction and Recovery Act, otherwise known as CARA, was not close; it was 94 to 1. That never happens around this place. It happened because we took our time, did it right, and focused on evidence-based treatment, recovery, and prevention—stuff that actually works to improve what we are doing and that was also responsible. This legislation also passed because it is such a big issue in every State and every community.

It has been 110 days since the Senate passed CARA. By the way, earlier I said that 129 people, on average, are dying every day of overdoses. That means that in those 110 days since the Senate passed the legislation, over 13,000 of our fellow Americans have succumbed and died from an overdose of opioids. Think about that. Think of those numbers.

Why isn't it done yet? It is not done yet because the House needed to move through its own process. I totally understand that. You should know that the House was part of the process for the last 3 years. This was not just bipartisan; it was bicameral. In other words, both the House and Senate were involved. We had 130 cosponsors of the CARA legislation in the House, but the House wanted to go through their own process, and they did. They came up with 18 separate bills rather than 1 more comprehensive bill. We are now in the process of putting those together. We have 18 bills from the House and 1 from the Senate.

The conference committee has been named. Today I am happy to announce that the conference is actually going to meet on Wednesday of next week. They are going to vote on the final product. After having talked to a number of members of the conference committee today and over the past several weeks, I think it is going to be a very positive product. It will be very similar to the Senate bill in terms of being comprehensive, but it also picks up a number of good items that the House added. There is one that I particularly like. It would raise the cap on how many people can be treated with Suboxone, which is one of the ways to have medicated-assisted treatment, and in particular at the treatment center, which is a good change.

We do believe that the provisions we included in CARA over here are necessary because it is comprehensive and does include prevention and education. We think some of our prevention programs, which are not in the House, are necessary. We think that particularly on the treatment and recovery side—especially on the recovery side—there are some things that need to be added.

I get very good reports as to the progress of that conference, and I believe it will be something that I can not only support but enthusiastically support if they can stick to the blueprint they have worked on. Again, that bill will be next week. That is a positive sign.

This is the 11th time I have come to the floor of the Senate to urge them to act. We have been in session for 11 weeks since the bill passed. Every single week, I have come to the floor to talk about this, and I have the best report yet in the sense that we are moving forward.

This week I sent a letter, along with my colleagues, Senator WHITEHOUSE, Senator KLOBUCHAR, and Senator AYOTTE. This letter went to the conference committee to insist that the legislation be, in fact, comprehensive, and I believe from what I am hearing that it will be—the prevention grants, the Opiate Awareness Campaign, the law enforcement task forces, the education grants to educate those who are behind bars. There were other great ideas that came from both sides of the aisle that should be included.

I must say tonight, though, that I am hearing some other troubling reports, and these have now become public, so I am going to talk about them.

The Senate passed this bill 94 to 1. It is an emergency and an epidemic in our

communities. There are 130 anti-drug groups from across the country who have endorsed this legislation. Everybody is together on this, and we worked hard to make it inclusive. Again, 13,000 Americans have died from overdoses since this legislation passed the Senate. Despite all of that, there are press reports that say the White House is encouraging us to delay. I hope that is not true, but here is the first report that I will tell you about.

National Public Radio talks about a White House meeting with some Democratic Members of Congress about potentially stalling CARA. One White House legislative aide is quoted as saying: ''We need to slow down the conference enough so that the White House can bring it back to the American people. We need help in slowing it down.'' The piece went on to say that ''Democratic members of Congress were asked to come to this meeting and they were eager to help slow it down.''

Slow it down? Are you kidding? Slow it down? We should have sped it up, and we certainly can't stop now. The Senate is only in session for 2 more weeks, and then it goes out of session for the conventions and the August recess. We should have already done it. Let's not slow it down; let's speed it up.

I will tell you something else that I learned today, which I found amazing, and I hope the way I am looking at it or the way I am reading about it is not accurate. The drug czar for the United States of America is Michael Botticelli. He has testified in favor of this legislation and came to three of our five conferences and testified in favor of it. We took his ideas and input, which were very helpful. He came to the hearing in the Judiciary Committee and, in response to a question from Senator WHITEHOUSE, a leading Democrat on that committee and coauthor of this legislation, said he thought this was a good bill and that it was important that it be comprehensive. He also went to New Hampshire for a hearing and said he supported the legislation in front of Senator SHAHEEN and Senator AYOTTE. He was supposed to come to Ohio but at the last minute decided he could not attend our hearing in Ohio.

I was told that yesterday he held a press briefing with Ohio reporters. I have been trying to reach him today unsuccessfully, but apparently he thought it was necessary to go to Ohio reporters to talk about this issue. Among those on the call, by the way, was at least one Democratic local official. Maybe there were a few. I am not sure because I wasn't told about the call to Ohio. I am from Ohio. I am the coauthor of the bill. In that call, he said things that led the reporters to believe that he thought CARA did not go far enough and that it wasn't the appropriate response to this epidemic.

Look, I understand there is an election every 2 years here in America, and that is fine, but I have known every single drug czar since the first one, Bill Bennett. I have worked with every single one of them. Many of them have remained close friends. General McCaffrey was the drug czar for Bill Clinton when I authored a few pieces of legislation, such as the drug-free media campaign legislation, the Drug-Free Workplace Act, the Drug-Free Communities Support Program, which has generated over $1.3 billion of Federal dollars—matching funds. It helps to bond more than 2,000 community coalitions, including a community coalition in my hometown that I founded over 20 years ago.

I have been at this for a long time in terms of addressing this issue of drug addiction and drug abuse, and I worked with every single one of the drug czars. I have never seen them be partisan, ever.

I am very disappointed to hear these press reports about the White House wanting to delay. I am now, of course, very disappointed to hear that the drug czar is out there saying negative things about the CARA legislation when he, in fact, was part of putting it together. He, in fact, testified in favor of it. I don't understand that. I don't get it.

Let's put politics aside and actually get something done. Perhaps some of the parents who come to me and tell me about having lost a son or a daughter need to talk to some other Members of the Congress and of the administration who think this is somehow a political game. This is about saving lives. It is about saving people from ruining their lives. It is about helping people to be able to achieve their God-given purpose.

Our legislation is incredibly important. I mentioned some of the specifics of it. It does have grant programs that we know work. It has evidence-based programs. It includes medication treatment that works better. We know there are a lot of relapses, and we are trying to get the money into things that actually work. But it is bigger than that. It is about changing our attitude about this issue here in the Senate and in the House of Representatives. I would think that anybody who follows this closely—certainly someone who is the head of the Office of National Drug Control Policy—would get that.

This legislation begins to treat addiction like a disease that needs to be treated just like other diseases. Even if we didn't have $100 million of new funding in here, even if we didn't have all of these new specific grant programs and things we know work, like veterans courts and drug courts and all the recovery grant money that goes out, including to high school and colleges for recovery groups that work, it would be significant just because it establishes this new approach, saying that addiction is not a moral failure, addiction is a disease. Through this, we hope to wipe away the stigma so people do come forward and get treatment. It will help families who won't talk about the disease feel comfortable in saying: You have a problem, and we are going to support you. We are going to get you into treatment so you can pull your life, your family, and communities back together. That is what this legislation is about.

This is an authorization bill. It is not a spending bill. Everybody who follows this process knows that. Apparently the concern that has been raised is, well, there is not enough additional appropriated money in here. Well, this is not an appropriations bill.

By the way, the Appropriations Committee, at the urging of those of us who coauthored this legislation, have increased the funding substantially this year, and they have made a commitment in the subcommittee and the full committee to have a 93-percent increase in funding for this next year.

As I said, this authorizes about $100 million more every year going forward in our legislation as well, but frankly I think the appropriations ought to be greater than that. This is an emergency, but we are going down the right track there with these appropriations commitments that have been made. We need to be sure we have that commitment all the way to the final spending bills this year because we do need to have adequate funding, particularly to make sure everybody who wants treatment can get it.

I had a tele-townhall meeting this week, where 25,000 people were on the call at one time. It was a big group of people. As usual, people talked about terrorism, they talked about jobs and the economy, but three different people called in on this drug abuse issue. Two of them were recovering addicts, one was a parent. They talked about the worth of the legislation, the importance of treatment, the importance for us to deal with this issue. They talked about the fact that this knows no ZIP Code, it is not an inner city problem, it is not a suburban problem; it is everywhere.

I spoke to a woman named Leigh from Zanesville, OH. She told me she is now in recovery. She volunteers at prisons and told me that most of the prisoners there are also drug users. We talked about the CARA recovery provisions. They include critical resources to develop recovery and support services, individuals and families. We talked about the fact that in this legislation we have grants that can go to prisons to deal with this substance abuse issue in prison so when people get out, they have had the treatment to be able to get their lives back together and get out of that revolving door of the criminal justice system, where more than half of the people who get out are right back in again within a few years.

I talked to a man named John from Grove City. He told me he lost his son on June 1, just a few weeks ago, to an overdose of heroin laced with synthetic drugs. I expressed my condolences to him and his family, but I also thanked him for calling and for his willingness,

in front of 25,000 people, to talk about this issue. He was very plainspoken. He said: My son was addicted to heroin for 5 years. ''It meant more to him than his family; it meant more to him than anything.''

Unfortunately, there are fathers and mothers all over the State of Ohio who are experiencing what John had to experience with his son. He wants us to pass this legislation because he thinks it is going to help, and it will.

I think those who are addicted, those families who are being affected by this have been very patient. They are looking for more help from Washington, and they deserve it. Washington is not going to solve this problem. It is going to be solved in our communities, in our families, and in our hearts. But Washington can help and be a better partner, take the existing funds we are spending and spend them more wisely to actually affect the number of people who get addicted in the first place with better prevention and through better education, and then for those who are addicted, better treatment and recovery; help them get back on their feet.

Washington can help. That is what this legislation does. It is making Washington a better partner with State and local government and the nonprofits that are in the trenches doing the hard work every day.

I hope these reports I am hearing about delay and these tactics that are being used, unbelievably, by the administration to somehow make it appear as though this legislation isn't what they said it was back when they helped put it together and when they testified in favor of it—I hope that is just a distraction, and I hope people understand the significance of getting this done and getting it done now. It is already past time. We can't wait.

Again, people have been patient. It is now time for the U.S. Congress to face this issue, to address it through legislation that went through here with a 94-to-1 vote, to send it to the President for his signature and, more importantly, to send it to our communities around our country to begin to help turn the tide, save lives, and bring back hope.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

RUSSIA

Mr. SASSE. Mr. President, I rise to express my concern about troubling new developments in Russia. Russia's Parliament, the Federal Assembly, has just approved so-called antiterrorism legislation that actually criminalizes free speech and that attacks religious liberty. If President Putin signs this legislation into law in the coming weeks, it will be illegal for Christians to share their faith outside of the church building, as if faith is constrained by the four walls of a structure and belief by a single day of the week on the calendar.

In some ways, sadly, this isn't a surprise. There is a lot that is wrong with Russia. We are witnessing a rising authoritarianism in a declining State—a rising authoritarianism in a declining State.

Moscow routinely tramples on the rights of the press, tramples on assembly, speech, on dissent, and on national sovereignty. Ask the families of murdered journalists. Ask the student groups facing intimidation. Ask the political dissidents who fear imprisonment. Ask the Ukrainian people who fear being fully overrun.

Why is this happening? Because Putin and his cronies think they can make Russia great again by hoarding wealth, by abusing power, and by crushing any and all dissent and opposition. They strike the pose of a strong man, but this is not real strength.

True strength is rooted in virtue: selflessness and sacrifice on behalf of the weak and the oppressed. Mr. Putin is driven by cheap imitation and intimidation, more akin to bullying; vice masquerading as virtue.

We know Russia's offenses are many and egregious. At the same time, Americans well understand it is not our national calling, nor is it within our power, to attempt to right every wrong in a broken world, but we should be clear about what is happening, as well as the fact that there is no easy fix. It is naive to hope Russia can be reformed with a reset button or with promises of future flexibility. Instead, we need to begin telling the truth about an increasingly aggressive actor on the global stage.

Again, let me be explicit. The United States does not have a solemn obligation to try to make the entire world free, but we absolutely do have an obligation to speak on behalf of those who are made speechless in the dark corners of this globe.

This Russian law would be an affront to free people everywhere, at home and abroad, who believe the rights of conscience—the rights of free speech and the freedom of religion and the freedom of assembly—are pre-political.

These freedoms do not ebb and flow with history. These freedoms do not rise and fall with the political fortunes of a despot. Governments do not give us these rights and governments cannot take these rights away. These rights of free speech, freedom of religion, and freedom of assembly belong to every man, woman, and child because all of us are image-bearers of our Creator.

I am speaking tonight because this new Russian legislation is emblematic of a growing destructive nationalism and of a thirst for power that cannot be ignored. Putin has a desire to squeeze down on civil society, on other venues for discussion and debate, and on other institutions outside of politics where human dignity can and should be expressed. He does this and he desires this not because he is strong but because he is weak.

We in this body, without regard to political party and representing all 50 States, must be sober and clear-eyed about Russia. We must become more sober and clearer-eyed about its intimidations and about its hostilities and about its dangerous trajectory.

We have a duty to be telling the truth early about where this may be headed.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Nebraska.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 473, 596, 601, 602, 603, 651, with no other executive business in order.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Daniel B. Maffei, of New York, to be a Federal Maritime Commissioner for a term expiring June 30, 2017; Rebecca F. Dye, of North Carolina, to be a Federal Maritime Commissioner for a term expiring June 30, 2020; Mary Beth Leonard, of Massachusetts, to be Representative of the United States of America to the African Union, with the rank and status of Ambassador Extraordinary and Plenipotentiary; Geeta Pasi, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Chad; Anne S. Casper, of Nevada, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Burundi; and Michael A. Khouri, of Kentucky, to be a Federal Maritime Commissioner for a term expiring June 30, 2021.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. SASSE. I know of no further debate on the nominations and ask unanimous consent that the Senate vote on the nominations en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no further debate, the question is, Will the Senate advise and consent to the Maffei, Dye, Leonard Pasi, Casper, and Khouri nominations en bloc?

The nominations were confirmed en bloc.

Mr. SASSE. I ask unanimous consent that the motions to reconsider be considered made and laid upon the table en bloc and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate

proceed to the consideration of Calendar Nos. 594, 606 through 650, and all nominations on the Secretary's desk; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE COAST GUARD

The following named officer for appointment to a position of importance and responsibility in the United States Coast Guard to the grade indicated under title 14, U.S.C., section 50:

To be vice admiral

Vice Adm. Fred M. Midgette

IN THE ARMY

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. Matthew T. Quinn

IN THE NAVY

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Phillip E. Lee, Jr.

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Alan J. Reyes

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Mary C. Riggs

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Carol M. Lynch

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Mark E. Bipes

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Brian R. Guldbek

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Louis C. Tripoli

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Robert T. Durand

The following named officers for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (Lower Half)

Capt. Shawn E. Duane
Capt. Scott D. Jones
Capt. William G. Mager
Capt. John B. Mustin
Capt. Matthew P. O'Keefe
Capt. John A. Schommer

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Thomas W. Luscher

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Brian S. Pecha

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Deborah P. Haven

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Mark J. Fung

The following named officers for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Russell E. Allen
Rear Adm. (lh) William M. Crane
Rear Adm. (lh) Michael J. Dumont

IN THE AIR FORCE

The following named officer for appointment as Chief of the National Guard Bureau and for appointment to the grade indicated in the Reserve of the Air Force under title 10, U.S.C., sections 601 and 10502:

To be general

Lt. Gen. Joseph L. Lengyel

IN THE NAVY

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Ronald R. Fritzemeier

IN THE MARINE CORPS

The following named officers for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Charles G. Chiarotti
Brig. Gen. David W. Coffman
Brig. Gen. Paul J. Kennedy
Brig. Gen. Joaquin F. Malavet
Brig. Gen. Loretta E. Reynolds
Brig. Gen. Russell A. Sanborn
Brig. Gen. George W. Smith, Jr.
Brig. Gen. Mark R. Wise
Brig. Gen. Daniel D. Yoo

IN THE AIR FORCE

The following named officer for appointment as Chief of Staff, United States Air Force, and appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8033:

To be general

Gen. David L. Goldfein

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Thomas D. Waldhauser

IN THE ARMY

The following named officer for appointment as Chief of Army Reserve/Commanding General, United States Army Reserve Command, and appointment in the Reserve of the Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3038:

To be lieutenant general

Maj. Gen. Charles D. Luckey

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Robert P. Walters, Jr.

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Edward C. Cardon

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. Timothy P. Williams

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Joseph J. Streff

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Anthony P. Digiacomo, II
Col. Daniel J. Hill
Col. Kenneth A. Nava

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. David H. Berger

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Jeffrey L. Harrigian

The following named officer for appointment in the United States Air Force to the

grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Tod D. Wolters

The following named officer for appointment in the Reserve of the Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Stayce D. Harris

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Gwendolyn Bingham

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Michael M. Gilday

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Colin J. Kilrain

IN THE MARINE CORPS

The following named officer for appointment as Assistant Commandant of the Marine Corps in the United States Marine Corps, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5044:

To be general

Lt. Gen. Glenn M. Walters

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Gary L. Thomas

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Lewis A. Craparotta

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Joseph L. Osterman

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Terrence J. O'Shaughnessy

IN THE COAST GUARD

The following named officer for appointment to a position of importance and responsibility in the United States Coast Guard and to the grade indicated under title 14, U.S.C., section 50:

To be vice admiral

Rear Adm. Marshall B. Lytle, III

IN THE AIR FORCE

The following named officer for appointment as the Vice Chief of Staff of the Air Force and appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 8034 and 601:

To be general

Lt. Gen. Stephen W. Wilson

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. VeraLinn Jamieson

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Thomas W. Bergeson

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Thomas W. Geary

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. John L. Dolan

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Richard M. Clark

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1505 AIR FORCE nomination of Joseph H. Imwalle, which was received by the Senate and appeared in the Congressional Record of May 26, 2016.

PN1526 AIR FORCE nomination of Lisa A. Seltman, which was received by the Senate and appeared in the Congressional Record of June 6, 2016.

PN1527 AIR FORCE nominations (2) beginning ANDREW M. FOSTER, and ending Anthony P. Gaddi, which nominations were received by the Senate and appeared in the Congressional Record of June 6, 2016.

PN1554 AIR FORCE nominations (44) beginning DAVID B. BARKER, and ending ANGELA M. YUHAS, which nominations were received by the Senate and appeared in the Gongressional Record of June 16, 2016.

IN THE ARMY

PN1102 ARMY nomination of Bethany C. Aragon, which was received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1105 ARMY nomination of Brian T. Watkins, which was received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1109 ARMY nominations (12) beginning SUSAN M. CEBULA, and ending LISA N. YARBROUGH, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1111 ARMY nominations (89) beginning JOHN S. AITA, and ending DEREK C. WHITAKER, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1141 ARMY nomination of Jason B. Blevins, which was received by the Senate and appeared in the Congressional Record of February 1, 2016.

PN1480 ARMY nomination of Shawn R. Lynch, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1482 ARMY nomination of Rita A. Kostecke, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1483 ARMY nomination of Helen H. Brandabur, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1484 ARMY nomination of Barry K. Williams, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1506 ARMY nomination of Douglas Maurer, which was received by the Senate and appeared in the Congressional Record of May 26, 2016.

PN1528 ARMY nomination of Ronald D. Hardin, Jr., which was received by the Senate and appeared in the Congressional Record of June 6, 2016.

PN1558 ARMY nomination of Edward J. Fisher which was received by the Senate and appeared in the Congressional Record of June 16, 2016.

PN1566 ARMY nomination of David W. Mayfield, which was received by the Senate and appeared in the Congressional Record of June 23, 2016.

PN1567 ARMY nomination of Michael P. Garlington, which was received by the Senate and appeared in the Congressional Record of June 23, 2016.

PN1568 ARMY nominations (2) beginning NOELA B. BACON, and ending WILLIAM D. PLUMMER, which nominations were received by the Senate and appeared in the Congressional Record of June 23, 2016.

PN1569 ARMY nomination of Elizabeth M. Miller, which was received by the Senate and appeared in the Congressional Record of June 23, 2016.

IN THE FOREIGN SERVICE

PN951—2 FOREIGN SERVICE nomination of Richard Gustave Olson, Jr., which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN1419 FOREIGN SERVICE nomination of Emily M. Scott, which was received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1486 FOREIGN SERVICE nominations (90) beginning Amanda R. Ahlers, and ending Lee V. Wilbur, which nominations were received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1495 FOREIGN SERVICE nominations (187) beginning Jocelyn N. Adams, and ending Brian Joseph Zacherl, which nominations were received by the Senate and appeared in the Congressional Record of May 19, 2016.

IN THE NAVY

PN418 NAVY nomination of Justin C. Legg, which was received by the Senate and appeared in the Congressional Record of April 28, 2015.

PN1351 NAVY nominations (8) beginning TIMOTHY M. DUNN, and ending PEGGYTARA M. STOLYAROVA, which nominations were received by the Senate and appeared in the Congressional Record of April 14, 2016.

PN1352 NAVY nominations (2) beginning SUZANNE M. LESKO, and ending CHARLES

E. SUMMERS, II, which nominations were received by the Senate and appeared in the Congressional Record of April 14, 2016.

PN1353 NAVY nomination of Andrew F. Ulak, which was received by the Senate and appeared in the Congressional Record of April 14, 2016.

PN1354 NAVY nominations (3) beginning KENNETH N. GRAVES, and ending BILLY B. OSBORNE, JR., which nominations were received by the Senate and appeared in the Congressional Record of April 14, 2016.

PN1355 NAVY nominations (3) beginning STEVE R. PARADELA, and ending REESE K. ZOMAR, which nominations were received by the Senate and appeared in the Congressional Record of April 14, 2016.

PN1356 NAVY nominations (18) beginning CHARLES M. BROWN, and ending KARL W. WICK, which nominations were received by the Senate and appeared in the Congressional Record of April 14, 2016.

PN1357 NAVY nominations (2) beginning ROBERT K. BAER, and ending JOHN L. MORRIS, which nominations were received by the Senate and appeared in the Congressional Record of April 14, 2016.

PN1358 NAVY nominations (70) beginning BRIAN S. ANDERTON, and ending JAMES T. WORTHINGTON, III, which nominations were received by the Senate and appeared in the Congressional Record of April 14, 2016.

PN1359 NAVY nominations (14) beginning CHRISTOPHER J. R. DEMCHAK, and ending STEVEN R. THOMPSON, which nominations were received by the Senate and appeared in the Congressional Record of April 14, 2016.

PN1360 NAVY nominations (3) beginning JANETTE B. JOSE, and ending MICHAEL J. SCHWERIN, which nominations were received by the Senate and appeared in the Congressional Record of April 14, 2016.

PN1361 NAVY nominations (4) beginning ERIC R. JOHNSON, and ending ANDREW R. WOOD, which nominations were received by the Senate and appeared in the Congressional Record of April 14, 2016.

PN1362 NAVY nominations (6) beginning JAREMA M. DIDOSZAK, and ending RICHARD M. SZCEPANSKI, which nominations were received by the Senate and appeared in the Congressional Record of April 14, 2016.

PN1363 NAVY nomination of Conrado G. Dungca, Jr., which was received by the Senate and appeared in the Congressional Record of April 14, 2016.

PN1364 NAVY nomination of Alexander L. Peabody, which was received by the Senate and appeared in the Congressional Record of April 14, 2016.

PN1365 NAVY nomination of Jason G. Goff, which was received by the Senate and appeared in the Congressional Record of April 14, 2016.

PN1440 NAVY nominations (5) beginning OLIVIA L. BETHEA, and ending CHRISTIAN A. STOVER, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1441 NAVY nominations (64) beginning ROGER S. AKINS, and ending MICHAEL D. WITTENBERGER, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1442 NAVY nominations (14) beginning RICHARD S. ADCOOK, and ending BENJAMIN W. YOUNG, JR., which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1443 NAVY nominations (31) beginning ANDREW M. ARCHILA, and ending DOUGLAS E. STEPHENS, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1444 NAVY nominations (13) beginning SHANE D. COOPER, and ending RANDALL J. VAVRA, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1445 NAVY nominations (30) beginning JOHANNES M. BAILEY, and ending JOHN E. VOLK, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1446 NAVY nominations (31) beginning SUSAN L. AYERS, and ending MICHAEL YORK, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1447 NAVY nominations (12) beginning MICHAEL D. BROWN, and ending BRIAN J. STAMM, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1448 NAVY nominations (14) beginning JOHN R. ANDERSON, and ending BURR M. VOGEL, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1450 NAVY nominations (5) beginning RACHAEL A. DEMPSEY, and ending SEAN D. ROBINSON, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1451 NAVY nominations (10) beginning ANN E. CASEY, and ending DARYK E. ZIRKLE, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1452 NAVY nominations (10) beginning CLAUDE W. ARNOLD, JR., and ending ROB W. STEVENSON, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1453 NAVY nominations (9) beginning ALBERT ANGEL, and ending SCOTT D. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1454 NAVY nominations (9) beginning THOMAS L. GIBBONS, and ending KURT E. STRONACH, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1455—1 NAVY nominations (215) beginning DAVID L. AAMODT, and ending NATHAN S. YORK, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1456 NAVY nominations (5) beginning MICHAEL B. BILZOR, and ending MATTHEW A. TESTERMAN, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1457 NAVY nominations (15) beginning PAUL D. CLIFFORD, and ending DIANNA WOLFSON, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1458 NAVY nominations (8) beginning ERROL A. CAMPBELL, JR., and ending JEFFREY M. VICARIO, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1459 NAVY nominations (6) beginning JEFFREY J. CHOWN, and ending BRET A. WASHBURN, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1460 NAVY nominations (2) beginning BROOK DEWALT, and ending PHILIP R. ROSI, II, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1461 NAVY nominations (4) beginning AARON C. HOFF, and ending JOHN M. TULLY, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1507 NAVY nomination of Daniel L. Christensen, which was received by the Senate and appeared in the Congressional Record of May 26, 2016.

PN1508 NAVY nomination of Howard D. Watt, which was received by the Senate and appeared in the Congressional Record of May 26, 2016.

PN1509 NAVY nomination of Daniel Morales, which was received by the Senate and appeared in the Congressional Record of May 26, 2016.

PN1510 NAVY nomination of Stefan M. Groetsch, which was received by the Senate and appeared in the Congressional Record of May 26, 2016.

PN1511 NAVY nomination of Jeffrey M. Bierley, which was received by the Senate and appeared in the Congressional Record of May 26, 2016.

PN1512 NAVY nomination of Michael G. Zakaroff, which was received by the Senate and appeared in the Congressional Record of May 26, 2016.

PN1534 NAVY nominations (26) beginning RON J. ARELLANO, and ending WILLIAM M. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2016.

PN1535 NAVY nominations (28) beginning KATIE M. ABDALLAH, and ending NATHAN J. WINTERS, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2016.

PN1536 NAVY nominations (31) beginning MATTHEW J. ACANFORA, and ending JOSEPH A. ZERBY, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2016.

PN1537 NAVY nominations (44) beginning KENNETH O. ALLISON, JR., and ending TIMOTHY L. YEICH, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2016.

PN1538 NAVY nominations (481) beginning BENJAMIN P. ABBOTT, and ending RICHARD J. ZAMBERLAN, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2016.

PN1539 NAVY nominations (16) beginning PETER BISSONNETTE, and ending ZAVEAN V. WARE, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2016.

PN1540 NAVY nominations (35) beginning MYLENE R. ARVIZO, and ending ERROL A. WATSON, JR., which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2016.

PN1541 NAVY nominations (15) beginning DAVID R. DONOHUE, and ending JASON D. WEAVER, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2016.

PN1542 NAVY nominations (12) beginning RANDY J. BERTI, and ending MICHAEL WINDOM, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2016.

PN1543 NAVY nominations (6) beginning JODIE K. CORNELL, and ending SEAN B. ROBERTSON, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2016.

PN1544 NAVY nominations (16) beginning PATRICIA H. AJOY, and ending WADE C. THAMES, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2016.

PN1545 NAVY nominations (14) beginning ERIN M. CESCHINI, and ending GIANCARLO WAGHELSTEIN, which nominations were received by the Senate and appeared in the Congressional Record of June 9, 2016.

PN1559 NAVY nomination of Thomas W. Luton, which was received by the Senate and appeared in the Congressional Record of June 16, 2016.

PN1570 NAVY nominations (4) beginning JENNIFER L. DONAHUE, and ending ROBERT R. STEEN, which nominations were received by the Senate and appeared in the Congressional Record of June 23, 2016.

PN1571 NAVY nominations (3) beginning STEVEN D. BARTELL, and ending RON P.

NEITZKE, which nominations were received by the Senate and appeared in the Congressional Record of June 23, 2016.

PN1572 NAVY nominations (2) beginning NATHAN JOHNSTON, and ending ROGER D. MUSSELMAN, which nominations were received by the Senate and appeared in the Congressional Record of June 23, 2016.

PN1573 NAVY nominations (11) beginning PHILIP ARMAS, JR., and ending CHRISTOPHER D. THOMPSON, which nominations were received by the Senate and appeared in the Congressional Record of June 23, 2016.

PN1574 NAVY nominations (10) beginning CATHERINE O. DURHAM, and ending REBECCA A. ZORNADO, which nominations were received by the Senate and appeared in the Congressional Record of June 23, 2016.

PN1575 NAVY nominations (13) beginning JAMES H. BURNS, and ending REBECCA S. SNYDER, which nominations were received by the Senate and appeared in the Congressional Record of June 23, 2016.

PN1576 NAVY nominations (3) beginning JOHN M. HARDHAM, and ending MARTIN W. WADEWITZ, II, which nominations were received by the Senate and appeared in the Congressional Record of June 23, 2016.

PN1577 NAVY nominations (8) beginning PHILIP J. ABELDT, and ending MICHAEL B. VENER, which nominations were received by the Senate and appeared in the Congressional Record of June 23, 2016.

PN1578 NAVY nominations (22) beginning LAUREN P. ARCHER, and ending ALISSA G. SPEZIALE, which nominations were received by the Senate and appeared in the Congressional Record of June 23, 2016.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MORNING BUSINESS

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

2016 SMITHSONIAN FOLKLIFE FESTIVAL CELEBRATING THE BASQUE

Mr. REID. Mr. President, I wish to recognize the first day of the 2016 Smithsonian Folklife Festival, which is featuring the Basque.

Since 1967, the Smithsonian's Center for Folklife and Cultural Heritage has honored cultural traditions during its annual festival and celebrated the individuals who help keep important traditions alive. The festival has featured participants from all 50 States and more than 100 countries, and this summer, the festival will showcase Basque culture in Washington, DC.

The Basque migrated to the United States from an ancient and free culture located in the Pyrenees between France and Spain. In the late 1800s and early 1900s, the gold rush in Nevada and California drew the Basque out West. They became well-known for their strong work ethic and skill for business. As the western mines attracted workers from across the United States and around the world, innovative Basques capitalized on the opportunity to raise sheep and sell sheep products to miners. During this time, the sheep industry in Nevada grew exponentially.

Following World War II, Nevada's Basque population soared, with a majority of Basques settling in northern Nevada. The Basque brought with them traditional dances in colorful costumes, music, their unique language, and cuisine that remains a hallmark in the State of Nevada. Communities throughout the State have benefited from the innovation of the Basque settlers and the traditions they and their descendants have kept alive.

Over the years, the Basque have become a part of Nevada communities, established businesses, and served our Nation as doctors, lawyers, scientists, and teachers. The sons of Basque parents, Paul and Robert Laxalt, are among those who have earned a place in Nevada history, becoming well-known for their strong Basque roots and accomplishments. Paul dedicated his life to public service by serving as the Governor of Nevada and as a U.S. Senator, and Robert was a successful writer who captured the Basque experience in the American West in books such as ''Sweet Promised Land'' and ''The Basque Hotel.''

The importance of the Basque's impact on Nevada history is exemplified by the William A. Douglass Center for Basque Studies at the University of Nevada, Reno, Nevada's land grant university. The center maintains an extensive collection of Basque oral history and provides students the opportunity to gain expertise in Basque culture and tradition. The center, along with so many others in the State of Nevada and throughout the Nation, have worked hard to keep the rich history and spirit of Basque culture and tradition thriving in the United States.

I am pleased the Smithsonian Folklife Festival will celebrate this incredible culture for this year's festival, and I welcome the Nevadans who have traveled to Washington to participate in the 2016 Smithsonian Folklife Festival.

THIRD ANNIVERSARY OF SHELBY COUNTY V. HOLDER

Mr. DURBIN. Mr. President, last Saturday was the third anniversary of the Supreme Court's Shelby County v. Holder decision. In this case, a divided Court voted 5–4 to gut the Voting Rights Act. The Court struck down the provision of the Voting Rights Act that required certain jurisdictions with a documented history of discrimination to ''preclear'' any changes to their voting laws with the Department of Justice.

In the 3 years since Shelby County, Democrats and a small handful of Republicans have sought to restore the Voting Rights Act. Unfortunately, the majority of Republicans in Congress have obstructed efforts to reinstate robust Federal voting protections. As a result, 2016 will mark the first Presidential election without the full protections of the Voting Rights Act since this historic legislation was signed into law in 1965.

The restrictions on voting that many Americans face today can be traced back to the 2010 midterm election. After that election, in which Republicans won control of several State legislative chambers and governorships, State lawmakers across the country introduced burdensome voting laws. These laws ranged from strict voter identification requirements to cuts in early voting. At the time, the Voting Rights Act served as a backstop, preventing States covered by the preclearance requirement from implementing changes that had a discriminatory purpose or effect.

That is why the Shelby County decision in 2013 had an immediate impact. Released from preclearance requirements, States with discriminatory histories were free to move forward with new restrictions on voting. For example, within hours of the Shelby County decision, Texas State officials announced that they would immediately implement a photo ID requirement for in-person voting that Texas first tried to put in place in 2011. This burdensome voter ID law had previously been blocked by both the Department of Justice and a Federal appeals court, due to the law's harmful impact on poor and minority voters. As a result of this law going into effect, we heard disturbing stories of a 93-year-old veteran and nearly 70-year-old doctor who were turned away from the polls in Texas in 2014 because their IDs did not meet the onerous new requirements.

During my time as chairman of the Subcommittee on the Constitution, Civil Rights, and Human Rights, I held a series of hearings that examined restrictive State voting laws. During these hearings, we heard over and over again that these laws have a disproportionate impact on lower-income, minority, youth, elderly, and other vulnerable voting populations.

I asked the State officials at each of my hearings whether there were any widespread instances of voter fraud to justify these laws, and they were unable to point to any examples. There have been only a handful of prosecutions over the last decade. This clearly is not a problem in need of a solution. This is clearly an effort to restrict the opportunity to vote for certain Americans.

This year, voters in 17 States will face restrictions that they have not previously experienced in a Presidential election. Eight of these States were previously covered by the preclearance provision in the Voting Rights Act.

Recent primary elections in many of these States gave voters a taste of potential problems to come in the general election. In Maricopa County, AZ, some voters were forced to endure

waits of more than 5 hours in order to cast their ballots in the March primary election. The cause of the delay was a decision by a local election official to massively cut the number of polling locations. In the 2008 primary, 400 polling places were available. In 2016, that number was slashed to a mere 60 locations. Prior to Shelby County, such a change would have been evaluated and likely challenged by the Justice Department in a preclearance review.

In Wisconsin, a newly implemented voter photo identification law led to challenges and confusion in the April primary. Press reports recently documented the story of one of the affected voters. Eddie Lee Holloway, Jr., moved from my home State of Illinois to Wisconsin in 2008 and was able to vote without any problems before the voter ID law went into effect. After the law was passed, Mr. Holloway went to a DMV in Milwaukee with an expired Illinois photo ID, his birth certificate, and his Social Security card to obtain a Wisconsin photo ID for voting. However, his application was rejected due to a clerical error on his birth certificate, which read ''Eddie Junior Holloway.''

Mr. Holloway spent hundreds of dollars traveling to Illinois to try to fix this problem. In addition to the Milwaukee DMV, he visited the Vital Records System in Milwaukee, the Illinois Vital Records Division in Springfield, an Illinois DMV, and his high school in Decatur, IL—all in an attempt to obtain sufficient records for a Wisconsin voter ID. Ultimately, he was unsuccessful. Despite all of these efforts, Mr. Holloway was unable to vote in the April primary.

What is particularly infuriating about Mr. Holloway's case is that Republicans in the Wisconsin State Legislature were hoping for exactly this type of outcome. The chief of staff to a leading Republican State senator in Wisconsin resigned last year after witnessing Republican legislators who were, ''literally giddy'' over the impact the new voter ID law would have on minority and student voters. In an interview with the New York Times, the former staffer said, ''I remember when Republicans were the ones who helped Johnson pass the civil rights bill in the '60s.'' Indeed, it was 51 years ago this year President Lyndon B. Johnson signed the bipartisan Voting Rights Act into law—guaranteeing that the right to vote would not be restricted through clever schemes, like poll taxes and literacy tests, devised to keep African Americans from voting.

I wish that, 51 years after we enacted the Voting Rights Act, our society had reached a point where its protections were no longer necessary, but we clearly have not, and the Voting Rights Act is still very much needed today.

That is why Senator LEAHY, Senator COONS, and I introduced the Voting Rights Advancement Act last year. This legislation would restore the Voting Rights Act. It would ensure that burdensome voting laws will be reviewed and, if found to be discriminatory, blocked before they go into effect.

I recently joined Senator LEAHY and our Democratic colleagues on the Senate Judiciary Committee in sending a letter to the chairman of the full committee and the chairman of the Constitution Subcommittee, urging them to hold a hearing on voting rights and the Voting Rights Advancement Act. Between 2007 and 2013, Senate Democrats held nine hearings to examine the issue of voting rights. In contrast, Republicans have not held a single hearing on voting rights since taking the majority in 2015.

This is disappointing. Voting rights has traditionally been a bipartisan issue. In 2006, Congress reauthorized the Voting Rights Act with an overwhelming bipartisan vote. Three hundred and ninety Members of the House and 98 Senators came together on a bipartisan basis to reauthorize the bill. Twenty-one hearings with more than 90 witnesses and a 15,000-page record illustrated to us that the Voting Rights Act was still very much needed. Three years ago, the Supreme Court ignored our efforts in Shelby County, but we can, and we must, come together once again to address voting rights.

Congressman JIM SENSENBRENNER, a Republican from Wisconsin, has introduced legislation in the House to restore the Voting Rights Act. Earlier this year, he wrote an op-ed in the New York Times. He noted, ''Ensuring that every eligible voter can cast a ballot without fear, deterrence and prejudice is a basic American right. I would rather lose my job than suppress votes to keep it.''

I urge my colleagues to listen to Congressman SENSENBRENNER and join us in our fight to restore the Voting Rights Act. It is time to bring the bipartisan Voting Rights Advancement Act to the floor and ensure that the Federal Government is once again able to fully protect the fundamental right to vote.

REMEMBERING KASIA BOBER

Mr. DURBIN. Mr. President, today I wish to note the passing earlier this month of a treasured member of Chicago's Polish community, Kasia Bober, at the age of 80.

Back in August of 2005, I introduced a bill to grant honorary posthumous citizenship to Casimir Pulaski. I held a press conference in Chicago at the Polish Museum of America in front of a giant painting of Pulaski at the Battle of Savannah. Afterward, I sat down with leaders from the Polish community to discuss various issues. Kasia joined us for the meeting and brought those famous pierogi and other treats from her deli. I learned firsthand why some consider her the ''Pierogi Queen'' of Chicago.

Kasia's story is like many immigrant stories in the great melting pot of Chicago. She came to the United States in 1974 in search of a better life. At first, she lived with relatives and was separated from her three children who remained in Poland. But after years of hard work, she was finally able to reunite with her children and open her own deli. Kasia's cooking quickly became a hit, especially her potato and cheese pierogi. Customers began to call from different States, which led to Kasia's pierogi being available today in 26 States.

Kasia's pierogi are so well known that at least three U.S. Presidents have eaten them while in Chicago. In an article that appeared in the Chicago Sun-Times, her granddaughter recalled that President George H.W. Bush dined on Kasia's pierogi while visiting the Copernicus Center, President Bill Clinton had some at the Taste of Chicago, and President Barack Obama ate a few during a Sister Cities festival. Polish labor leader Lech Walesa also enjoyed Kasia's cooking on a trip to Chicago.

It is quite the story for an immigrant who worked 7 days a week at multiple jobs while chasing her own American dream. Up until her passing, Kasia could still be found working at her namesake deli in Chicago's Ukrainian Village neighborhood. Chicago's ''Pierogi Queen'' may be gone, but she will not soon be forgotten.

I offer my condolences to Kasia's daughters, Barbara Jakubowicz and Maria Kordas; her son, Christopher; her sisters, Janina and Jozia; her six grandchildren; and her great-grandchild.

TRIBUTE TO THOMAS VANDEN BERK

Mr. DURBIN. Mr. President, I want to take a few minutes to thank Thomas Vanden Berk for his extraordinary service to the city of Chicago. Tom has spent 40 years devoted to one cause: improving the lives of Chicago's most vulnerable by working with children and families who have been abused, neglected, and traumatized. Earlier this year, Tom announced he would be retiring as chief executive officer of the Uhlich Children's Advantage network, UCAN.

In 1987, when Tom joined UCAN, it was a small shelter housing 50 boys and girls, operating under a $1.7 million budget and on the verge of closing. Under Tom's direction, UCAN grew into a multifaceted and financially sound shelter focusing on child welfare programs, violence prevention, and strategies for combating gun violence. Today UCAN is a leading child welfare organization in Chicago with a new $41 million campus providing a full continuum of over 30 programs, servicing more than 10,000 people every year.

Tom's been the recipient of numerous awards, including the ''Friend of Child'' award from the Illinois Council on Training; Peace Leader Award from the Illinois Council for the Prevention of Violence; and the Council for Health

and Human Service Ministries Executive of the Year award.

Through Tom's creative leadership and hard work, UCAN has become a vital sanctuary for young people, providing security and healing for those who have suffered trauma. Over the last 29 years, Tom has built UCAN on one simple, but powerful premise: ''Kids raised in violence are traumatized and trauma can be healed.'' Tom knows trauma better than most. As a young boy, his father, a part-time janitor at their church, was killed when a boiler he was repairing exploded. And on April 25, 1992, when kids barged into a party and started shooting, Tom lost his 15-year-old son. After the shooting, one thing became clear: ''these were kids with absurdly easy access to guns.'' So Tom asked himself, ''What am I going to do with this anger?'' What he has done is become a leading voice and advocate in the campaign to reduce gun violence. Tom understands that it is not just a criminal justice issue; it is a public health crisis.

After his son's death, Tom realized that many of the troubled, neglected, and abused children that he spent his career working with had been traumatized by gun violence in their homes and community. His work through UCAN began to reflect that reality. He founded HELP for Survivors, a support group for parents who have lost loved ones to gun violence. Tom also became a founding member of the Bell Campaign, known today as the Million Mom March, which formed an alliance with the Brady Campaign in 2001. In 2002, Tom was named the Join Together Hero, which recognizes true leaders of the gun violence prevention movement. And in 2007, he received the Citizens Advocacy Award from the Illinois Council against Handgun Violence.

When asked to reflect on his career, Tom remains focused on the problems facing the community: not enough beds for impoverished kids who endure violence, a ridiculously high number of shootings, effective gun laws blocked by the National Rifle Association, and on and on. He says, ''I can't sit here and say, 'Oh, my God, I've done wonderful things and its better.' '' We have a long way to go and progress is hard, but no one can deny the difference Tom has made.

Just listen to those that know Tom and UCAN best—young people like Tatiara, who came to UCAN in 2012 through the Family Works program. Here is what she said: ''UCAN takes you under their wing. You are not just another number but you are your own person. They really care about you. It's like you're part of a family.'' Or take Alexis, a 23-year-old mother, whose daughter Aliyah was born premature with multiple complications including Down's syndrome, a tethered spinal cord, and a heart defect. Here is what she said: ''I would recommend UCAN because if you need something or need to get somewhere they will find the answer. I would be lost without them.'' Alexis and Aliyah are 1 of more than 100 families that UCAN's High-Risk Infant Program provides preventive and supportive services to every year. These are just a couple of the countless success stories.

I have visited UCAN and met the children it serves. Their stories are inspiring. And I am thankful that UCAN is making a difference in the lives of so many young people in Illinois. So on behalf of all those UCAN has served during Tom Vanden Berk's tenure, I want to tell him he has done wonderful things, and because of his passion and dedication, people's lives have gotten better.

Fortunately for Chicago, Tom isn't going far. Later this summer, he will transition to CEO emeritus and will continue to fundraise and advocate for UCAN and the children and families it serves. I want to congratulate Thomas Vanden Berk on his distinguished career and thank him for all he has done—and all he will continue to do. Illinois and the country are grateful for his service.

TRIBUTE TO TERI SPOUTZ

Mr. DURBIN. Mr. President, I have often remarked that the education of a Senator is a daunting task. Fortunately, the U.S. Senate is blessed with many talented staff who are dedicated to that challenge.

Among them is Ms. Teri Spoutz, a professional staff member of the Defense Appropriations Subcommittee for the past 5 years. To read through Teri's accomplishments is to understand how fortunate the Senate is to be able to attract some of the best talent in Washington, DC.

Teri grew up in southern California and began her career as a civilian at Los Angeles Air Force Base. As a financial manager, she served in a variety of positions overseeing major acquisitions of satellites and rockets for the Air Force.

Teri and her family then left sunny California for the cold, windswept plains of the missile fields at F.E. Warren Air Force Base, WY, as her husband, Stephen, pursued his promising career as an Air Force officer. The Spoutz family landed in Washington, DC, in 2003, and Teri continued her work in the Pentagon.

By 2008, Teri had been promoted to the Senior Executive Service as the Chief of Budget Investment for the Department of the Air Force. For nearly 3 years, Teri was the top financial overseer of all Air Force procurement, research and development, and military construction funding.

In March 2011, Teri was persuaded to join the staff of the Defense Appropriations Subcommittee under the leadership of Chairman Daniel Inouye. Her expert knowledge of how the defense acquisition system works—and, too often, how it does not work—has resulted in many billions of dollars for our national defense being cut from underperforming programs and reinvested in more important ones.

As a staffer, she carried out in-depth reviews on the most important programs in the Pentagon's budget, including detailed annual examinations of the F–35 Joint Strike Fighter, the largest weapons contract in the history of the Pentagon, and dozens of other large developmental and procurement programs.

But Teri has always held a special interest in space. On the Defense Subcommittee, she led investigations into bringing competition to space launch, which in just the last year has shown can cut the cost of rockets by half. She was also vital in stopping an effort to cut off access to rocket engines that are vital to our national security, which could have resulted in billions of additional costs to the U.S. taxpayer.

Teri is soon leaving the U.S. Senate. I thank her for her service on the Defense Subcommittee, commend her for all that she has accomplished, and wish her and her family all the best.

INTERNET GAMBLING

Mr. GRAHAM. Mr. President, in 2011, the Department of Justice's Office of Legal Counsel, OLC, issued a legal opinion reversing 50 years of interpretation of the Wire Act. Lawyers there concluded the act does not ban gambling over the Internet, as long as the betting is not on the outcome of a sporting event.

In effect, this opinion means the Justice Department has stopped enforcing a law it had consistently enforced for five decades. Left on its own, the DOJ opinion could usher in the most fundamental change in gambling in our lifetimes by turning every smartphone, tablet, and personal computer in our country into casinos available 24/7.

The FBI has warned online casinos are susceptible to use for money laundering and other criminal activity, and online casinos are bound to prey on children and society's most vulnerable.

It took Congress a decade to develop the Wire Act. It took Congress 7 additional years to enact the Unlawful Internet Gambling Enforcement Act, the 2006 law giving law enforcement new tools to shut down online casinos. DOJ's opinion gutted both laws.

Despite the wide-ranging implications of this opinion, there was no solicitation of public comment, nor any input sought from State and local officials. There is also no indication the Department considered the very significant law enforcement, social, and economic issues raised by Internet gambling.

We note that a number of States have authorized Internet gambling, despite the fact the DOJ opinion does not carry the force of law, a fact confirmed by our Attorney General, who, in response to questions posed during her confirmation proceedings, wrote, ''I am not aware of any statute or regulation

that gives OLC opinions the force of law.''

The Attorney General is absolutely correct. Only Congress can change the Wire Act, and only the courts can interpret the act's reach.

To make clear that the Wire Act still bans all Internet gambling, the committee report accompanying the CJS appropriations bill includes the following statement:

Internet Gambling.—Since 1961, the Wire Act has prohibited nearly all forms of gambling over interstate wires, including the Internet. However, beginning in 2011, certain States began to permit Internet gambling. The Committee notes that the Wire Act did not change in 2011. The Committee also notes that the Supreme Court of the United States has stated that ''criminal laws are for courts, not for the Government, to construe.'' Abramski v. U.S., 134 S.Ct. 2259, 2274, 2014, internal citation omitted.

I was pleased to join with my colleague from California, Mrs. FEINSTEIN, in offering this language. I appreciate the chairman and the ranking member having agreed to have it included with this legislation.

Any jurisdiction considering authorizing Internet gambling—and any entity seeking to participate in offering online casinos in this country—is well advised to consider that the Justice Department decision of 2011 did not change the Wire Act.

The question of whether there should be online casinos in this Nation has been polled widely over the past few years. It seems that no matter where one goes, Internet gambling is opposed by the public by wide margins, even in States where there is significant support for land-based casinos.

The public recognizes that there is something fundamentally different between having to go to a destination to place a bet and having a casino come to you, in your own home or office on an electronic device.

Regardless of how Senators may feel about this issue, I hope we can all agree that whether Internet gambling should be permitted in this country is a question for Congress to determine, not unelected Federal bureaucrats.

POSTPARTUM DEPRESSION

Ms. MURKOWSKI. Mr. President, I have come to the floor today to shed some light on the impacts of postpartum depression among our Nation's mothers.

Just a bit over a month ago, I sat down with a local Anchorage reporter as part of a series addressing the impacts of postpartum depression, PPD. As part of a four-part series, seven brave, strong, passionate women from the Anchorage community came forward and shared their stories. I joined those women in sharing my own account of the difficulties I faced as I transitioned into my new role as a mother.

I have been inspired by these women and other advocates that fight so hard to help raise awareness of PPD, and I wanted to share the story of one woman who lost her daughter to PPD. I met this woman shortly after I filmed my interview. She works in Anchorage and Wasilla, AK, as a child and adolescent psychiatrist and has always been passionate about providing care and support to children and adolescents in an effort to reduce and prevent suicide. She began to advocate for PPD after her daughter, Brittany, suffered and ultimately lost her life to PPD. She was only 25 years old.

Brittany was a bright, passionate, and lively young woman. She was born in Fairfax, VA in 1989. She excelled in school and graduated with an international baccalaureate degree at age 16 from Mount Vernon High School. Brittany loved animals and dreamt of becoming a sports veterinarian 1 day. She continued to excel academically while taking preveterinarian courses through the University of Pittsburg and later online through North Carolina State University.

One of Brittany's main life goals was to race in one of my favorite Alaskan events, the Iditarod. She owned, raced, and showed several Siberian Huskies, but also worked as a dog handler for Karen Ramstead as part of Karen's preparation for the Iditarod. But above all else, Brittany considered motherhood to be her greatest achievement.

Sadly, she began to struggle with PPD after a complicated delivery resulting with her newborn son spending a week in the neonatal intensive care unit. Brittany suffered from violent and powerful emotions and sought treatment from her physicians for PPD. Her cries for help went unanswered as her physicians were unable or were ill-equipped to help her. Around her son's first birthday Brittany lost her battle with PPD. Shortly thereafter, a successful Iditarod athlete, DeeDee Janrowe, raced the Iditarod in Brittany's honor. As I have said, Brittany was a bright, motivated, loving young woman who was stuck down early in her life because she did not have the access to the treatment she needed. Her story is one of many. PPD impacts women of every race, income, and background.

All too often, women who have PPD feel helpless, overwhelmed, and confused. They may feel like they are not properly bonded with their babies or ill-equipped for parenthood and cannot understand what might have gone wrong. Often, we assume that with parenthood comes immediate joy, but in fact, one in seven mothers nationwide will suffer from PPD. In Alaska, our numbers are twice the national average at one in three. There are some nonprofit organization that seek to raise awareness and help women connect with treatment for PPD, but often, they are located in only the most populous parts of a State, but what about the rural communities? What about the women who are unable to receive a proper screening, diagnosis, or treatment early on?

That is why I support legislation like the Bringing Postpartum Depression Out of the Shadows Act, and I want to thank Senators ALEXANDER, MURRAY, CASSIDY, and MURPHY for including PPD in the Mental Health Reform Act. I have cosponsored both pieces of legislation because I believe we must do more to ensure the proper screening and treatment of PPD. I support efforts to improve culturally competent programs that will help educate physicians, especially primary care providers, on the proper detection and treatment of PPD. This will not only benefit the women suffering from PPD but improve the health and well-being of their children and their families as a whole. With so many mothers across Alaska and the Nation facing PPD, it is essential we put this issue at the forefront and openly discuss, educate, and improve our understanding of this illness.

I stand here today in support of women all across the Nation facing PPD, and I will continue to advocate for the services they deserve.

LESBIAN, GAY, BISEXUAL, AND TRANSGENDER PRIDE MONTH 2016

Mr. CARDIN. Mr. President, today I wish to celebrate Lesbian, Gay, Bisexual, and Transgender, LGBT, Pride Month. Reaching back to Stonewall, June carries a special significance for LGBT individuals across the Nation. For more than 40 years LGBT Pride month has been a time for all Americans to celebrate the immeasurable contributions LGBT individuals have made to our great Nation, the progress the LGBT community has made in the U.S. and abroad, and the challenges faced in the fight for equality.

America's never-ending effort to become a ''more perfect union'' involves the long quest to secure equal rights and justice for the LGBT community by, as I just said, changing hearts, minds, and policy. The last year has seen hard-fought progress for the LGBT Americans.

With the Supreme Court's decision last June in Obergefell v. Hodges, same-sex marriage is now a fundamental right in every State in the Union. After years of legal battles and families being told that the government would not recognize their love and mutual commitment in the same way it might view their neighbors, the Supreme Court finally ruled that equality is an inherently American value that should not be denied or taken away from anyone. And just this past Friday, President Obama designated the historic site of the 1969 Stonewall Uprising in New York City as our Nation's newest national monument. This designation will create the first official National Park Service unit dedicated to telling the story of LGBT Americans.

The LGBT community has made strides in righting past wrongs. I commend Defense Secretary Ash Carter for

adding sexual orientation to the U.S. military's equal opportunity program. Roughly a year after that historic decision, Eric Fanning, an eminently qualified public servant, with a long track record of working on behalf of the men, women, and families of our Armed Forces, finally was confirmed by the Senate to become the Secretary of the Army. Secretary Fanning is openly gay, and his confirmation reflects a long overdue but commonsense understanding that sexual orientation and gender identity are not relevant to one's ability to serve this nation.

Our military was not alone in taking steps to ensure that all who wish to serve their country and community are able to do so without discrimination.

The Boy Scouts of America announced that, ''the national executive board ratified a resolution removing the national restriction on openly gay leaders and employees.''

I think this move by the Boy Scouts is worth noting because it impacts two issues that I find very important to the future of this country: the welfare of our children and encouraging civic involvement. The Boy Scouts of America are one of our most venerated civic organizations serving young people. I believe that no individual should be prevented from serving their country or enriching their community based on their sexual orientation or gender identity. The Boy Scouts' decision not to discriminate will lead to more well-rounded scouts.

For as much progress as we have seen in the last year, there have been several recent events that show our need to recommit to building a more perfect union for all Americans.

The shooting on June 12 in Orlando and attacks on LGBT individuals across the country and abroad show that in far too many places across the world, being openly LGBT still carries great risk.

That an attacker would target this venue, especially during Gay Pride Month, is a horrific tragedy and a senseless loss of human lives.

My deepest sympathies are with those killed and injured in this terror attack and hate crime, along with their families and loved ones. My thanks go out to the first responders who saved lives in the midst of such danger. There is no simple solution to preventing this type of tragedy. But one step that would help is for Congress to enact commonsense gun safety legislation in the coming days.

American values of tolerance, compassion, freedom, and love for thy neighbor must win out over hate, intolerance, and homophobia.

No one should fear for their lives simply because of who they are. This moral truism extends beyond the LGBT community. And so it is disturbing that State legislatures have recently taken steps to breathe new life into the defunct and deplorable practice of separate but equal facilities. Attempts to restrict the use of public facilities by transgender people is unsettling to say the least.

As a ranking member of the Senate Foreign Relations Committee and Special Representative on Anti-Semitism, Racism, and Intolerance for the Organization for Security and Cooperation in Europe, OSCE, Parliamentary Assembly, I take special note when foreign legislatures take steps to codify discrimination.

When we see discrimination happening in our own society, we must take action.

In our democracy, state-sponsored discrimination sends two strong messages. First, it tells those who are being discriminated against that the government does not fully recognize you as an equal member of the society. Secondly, it sends a not-so-subtle wink and a nod to private citizens and businesses that further discrimination and abuse will be tolerated.

Thankfully, Americans of every gender sexual orientation, and gender identity have spoken out against these laws.

In the U.S. Senate, I have been a proud ally of the LGBT community and will continue to oppose efforts to return to a time when our government-sanctioned discrimination.

This struggle for equal rights continues not only in our States, but here in the Congress. The House of Representatives, for example, recently considered a provision to prevent businesses that contract with the U.S. Government from discriminating against LGBT employees. It is shameful that, in 2016, the Congress of the United States of America cannot agree that discriminating against Americans based on a core identifying characteristic is wrong, just as it is illegal to discriminate on the basis of race or religion.

Congress should take up and pass the Equality Act, which I am proud to cosponsor, which would provide comprehensive antidiscrimination protection for LGBT individuals in areas such as housing, education, employment, credit, and public accommodations.

Congress should take up and pass my End Racial Profiling Act, which prohibits discriminatory profiling by law enforcement officers, including profiling based on gender, gender identity, or sexual orientation.

As ranking member of the Senate Foreign Relations Committee, I have worked to put international human rights at the forefront of U.S. foreign policy, whenever possible. The international community has made notable strides in ensuring that LGBT individuals are treated with the respect and dignity that all people deserve.

Nepal took the commendable step of including LGBT protections in their new constitution. Malta, Ireland, Thailand, Bolivia, and Vietnam all passed laws protecting transgender individuals.

Ukraine outlawed LGBT workplace discrimination, Kazakhstan struck down a dangerous anti-LGBT law, and Mozambique decriminalized homosexuality. These are small but important steps.

But as much as we can and should celebrate global progress on these matters, we have also seen troubling setbacks. In too many countries, being LGBT still is criminalized or met with violence, most recently with the brutal murder of Xulhaz Mannan, a USAID employee at the U.S. Embassy in Bangladesh and editor of Bangladesh's first and only LGBT magazine. Tragically, what happened to Mr. Mannan in Bangladesh is seen over and over again around the world. LGBT rights are human rights, and as we engage with the international community on human rights, we must prioritize LGBT rights.

As I said at the beginning of my remarks, the American experience is about individuals working together to build a more perfect union by changing hearts, minds, and policy. Since our founding, the U.S. Senate has played a key role in achieving this goal. It is very clear that ensuing LGBT Americans are afforded all the same rights and protections as their neighbors is central to building that more perfect union. The Senate should stand as a bulwark against intolerance and guardian of civil rights for LGBT individuals everywhere.

Before I conclude my remarks, I would like to recognize the Baltimore Pride Celebration. Baltimore Pride will be held for the 41st time on July 19–24. Baltimore has a strong LGBT community with a long history of activism and civic engagement. The Baltimore Pride Celebration is a chance to celebrate all the amazing contributions LGBT Baltimoreans make to my hometown.

TRIBUTE TO HOWARD HAYES

Mr. HELLER. Mr. President, today I wish to recognize Pearl Harbor survivor and World War II veteran, Howard Hayes. Mr. Hayes was aboard United States Coast Guard Cutter Roger B. Taney, USCGC TANEY, and moored in Honolulu Harbor as the attack on Pearl Harbor occurred right next door. It gives me great pleasure to honor Mr. Hayes for his bravery and service during World War II, especially on that specific day, December 7, 1941, when he selflessly placed his life on the line to defend our Nation.

Mr. Hayes joined the U.S. Coast Guard on October 21, 1940, and served on USCGC TANEY as a cook second class. His battle station was manning the range finder on the bridge of the ship. On December 7, 1941, when the Japanese attacked Pearl Harbor, Mr. Hayes saw the planes flying overhead and knew it was not a drill. After arriving at the range finder, Mr. Hayes and his crewmates were able to shoot down four planes during the attack. I extend my deepest gratitude to Mr. Hayes for his service and sacrifice, which are invaluable to our Nation.

Recently, Honor Flight Nevada transported Mr. Hayes to see his ship for the first time in 71 years and made arrangements so that he could go onboard USCGC TANEY. During his visit, Mr. Hayes saluted the flag and honored his fallen comrades. He is the last known surviving member of the ship's crew from that day. This is truly an incredible opportunity provided by Honor Flight Nevada. No words or actions can adequately thank Mr. Hayes for his service, but those who went above and beyond to make this trip possible stand as examples of how we should honor our veterans.

As a World War II veteran, Mr. Hayes' commitment to his country, as well as his dedication to his family and community, exemplify why the legacy of all World War II veterans must be preserved for generations to come. These veterans truly are the Greatest Generation, selflessly serving not for recognition, but because it was the right thing to do. As a member of the Senate Veterans' Affairs Committee, I recognize that Congress has a responsibility not only to honor these brave individuals, but to ensure they are cared for when they return home. I remain committed to upholding this promise for our veterans and servicemembers in Nevada and throughout the Nation.

Mr. Hayes displayed true courage and loyalty in defending our country, especially on that historic day during the attack on Pearl Harbor. I am both humbled and honored by his service and am proud to call him a fellow Nevadan. Today I ask my colleagues to join me in recognizing Mr. Hayes for all that he has done for our country. I wish him well in his future endeavors.

30TH ANNIVERSARY OF THE COMMISSIONING OF USS ''NEVADA,'' SSBN 733

Mr. HELLER. Mr. President, today I wish to recognize the 30th anniversary of the commissioning of USS *Nevada*, SSBN 733. I am proud to honor one of Nevada's namesake ships and all Americans that served aboard her.

Launched on September 14, 1985, USS *Nevada*, SSBN 733, is a U.S. Navy *Ohio*-class ballistic missile submarine and the fourth U.S. Navy ship named in honor of our great State. She was sponsored by Carol Laxalt, the wife of then-U.S. Senator Paul Laxalt. Upon launch, Captain F.W. Rohm was in command of the Blue Crew, and Captain William Stone led the Gold Crew. The submarine was then commissioned on August 16, 1986. She is now one of eight *Ohio*-class ballistic submarines homeported at Naval Base Kitsap-Bangor, where crews have worked tirelessly to preserve this national treasure. It gives me great pleasure to honor the history and heritage of this ship and her crew members who sacrificed so much defending our freedoms.

The brave men and women serving in the U.S. Navy have demonstrated true commitment to our Nation with their selfless actions and exemplify why the legacy of all veterans must be preserved for generations to come. As a member of the Senate Veterans' Affairs Committee, I recognize that Congress has a responsibility not only to honor these brave individuals, but to ensure they are cared for after their return home. I remain committed to upholding this promise for our veterans and servicemembers in Nevada and throughout the Nation, including those who served on USS *Nevada*, SSBN 733.

Today I ask that we recognize the 30th anniversary of the commissioning of USS *Nevada*, SSBN 733, and all that sailed aboard her. I am both humbled and honored to commemorate these brave men and women and to celebrate this important milestone. May we never forget the legacy of this great submarine and her gallant crew.

200TH ANNIVERSARY OF THE TOWN OF GUILFORD, MAINE

Ms. COLLINS. Mr. President, today I wish to commemorate the 200th anniversary of the town of Guilford, ME. Located in the heart of the beautiful Maine Highlands on the banks of the mighty Piscataquis River, Guilford was built with a spirit of determination and resiliency that still guides the community today.

Guilford's incorporation on February 8, 1816, was but one milestone on a long journey of progress. For thousands of years, Maine's Western Mountains were the hunting grounds of the Abenaki Tribe. The reverence the Abenaki had for the natural beauty and resources of the region is upheld by the people of Guilford today.

Early settlers at the dawn of the 19th century were drawn by fertile soil, vast forests, and fast-moving waters, which they turned into productive farms and busy mills. With the Piscataquis providing power, Guilford became one of the premier manufacturing communities in northern New England, with skilled workers producing everything from textiles and furniture to toothpicks and violin strings. The wealth produced by the land and, by hard work, innovation, and determination, was invested in schools and churches to create a true community.

Guilford is a town of patriots. Throughout the town's history, the men and women of Guilford have stepped forward to serve our Nation, and the veterans memorial stands in solemn tribute. It is significant that a highlight of this year's bicentennial celebration was the rededication of the Guilford Memorial Bridge in their honor.

Guilford is a town of involved citizens. The active historical society, volunteer fire department, and library are evidence of a strong community spirit. The planning and volunteerism that have gone into this yearlong bicentennial celebration are evidence that Guilford's spirit grows only stronger.

This 200th anniversary is not just about something that is measured in calendar years. It is an occasion to celebrate the people who for more than two centuries have worked together and cared for one another. Thanks to those who came before, Guilford has a wonderful history. Thanks to those who are there today, it has a bright future.

ADDITIONAL STATEMENTS

TRIBUTE TO GARRY RAYNO

● Ms. AYOTTE. Mr. President, today I wish to recognize and honor one of New Hampshire's finest and most respected journalists, Garry Rayno of the New Hampshire Union Leader. Garry is set to retire after a long and impressive career covering news and people in the Granite State.

Today, he and his wife, Carolyn, live in Bow, just a few miles from our State's capital. Garry currently works in the Union Leader's State House Bureau, where he has had a front-row seat for debates that impact the future of our State. These days, he is perhaps best known for writing the State House Dome column, a must-read round-up of political news for readers following events at the State House in Concord.

As a first-rate journalist, Garry has committed himself to putting forth the facts and figures so that New Hampshire residents can be apprised of legislation, votes, and negotiations that impact their daily lives. His writing allows readers access to detailed accounts of everything from political careers of New Hampshire State representatives to our State's efforts to combat the opioid abuse epidemic.

It has been a pleasure to work with Garry over the years during my time at the attorney general's office. We will certainly miss his straightforward analysis and reports of what's happening in Concord. Since announcing his retirement, numerous letters to the editor by citizens and elected officials alike have been published in the Union Leader, thanking Garry and lauding his excellent and informative coverage of the Legislature.

I join with New Hampshire residents, as well as his colleagues, in thanking Garry for his unparalleled service to our State and commitment to journalistic integrity. I am very proud to celebrate and recognize Garry, and I wish him and his wife, Carolyn, all the best as they enter this new chapter.●

REMEMBERING DONNA KELLEY

● Mr. BOOZMAN. Mr. President, today I wish to remember Donna Kelley, a longtime reporter and anchor at KARN News Radio in Little Rock, who passed away last weekend.

Donna made the move from Orlando to Little Rock to join the KARN news team 14 years ago. Her voice quickly became a mainstay on the airwaves in central Arkansas, where listeners turned to her as a trusted source of

news. In turn, Donna quickly embraced her newly adopted hometown and spoke of Little Rock with the love of a lifelong resident.

Any time there was breaking news, Donna would immediately track down everyone who could add to the story. I was always happy to talk with Donna as her sunny disposition, positive outlook, and understanding of Arkansas and the issues made for an enjoyable conversation.

In fact, with her cheerful demeanor and her great radio voice, I often joked with her about how she should have her own Delilah-style radio show.

But Donna's true passion was the news. You could tell that in her meticulous reporting on breaking news and how she tenaciously stayed on top of the stories that mattered to her listeners in an ever-changing news cycle.

You could easily judge how well-respected as a journalist Donna was, as well as how much she was liked on a personal level, by the outpouring of kind words that were shared upon the news of her passing. Public officials, fellow journalists, and KARN listeners all shared their stories of how much Donna meant to them on a professional and personal level in news reports and social media messages.

This sentiment was shared by her colleagues at KARN.

''Donna was at her happiest when she was working on a news story and never let anything keep her from getting her job done,'' said Cumulus market manager Keith Liesmann. ''She was a friend to everyone she worked with.''

My thoughts and prayers go out to Donna's friends, family, and colleagues. Her voice will truly be missed.●

RECOGNIZING THE COOPERATION BETWEEN THE CITIES OF VICKSBURG, MISSISSIPPI, AND DAYTON, OHIO

● Mr. COCHRAN. Mr. President, today I wish to express my appreciation to the Dayton Development Coalition, the city of Dayton, OH, and the Air Force Research Laboratory for recently hosting city officials and community leaders from Vicksburg, MS. Representatives from the Mississippi Development Authority, Mississippi State University, and the U.S. Army Engineer Research and Development Center also joined this trip to share ideas about how these two communities can continue their progress in support of these two critically important Department of Defense laboratories.

I would like to especially recognize Jeff Hoagland, Michael Gessel, and John Ingham of the Dayton Development Coalition for the guidance and insight they have provided and continue to provide to the Vicksburg community. I also appreciate Dayton Mayor Nan Whaley and the offices of the Senators from Ohio for their hospitality and insight. We hope that this is the beginning of a long and prosperous relationship between the city of Vicksburg, MS, and the city of Dayton, OH. I look forward to our continued work together and hope that Vicksburg will be able to host a delegation from Dayton in the near future.●

TRIBUTE TO DAWSON COUNTY HIGH SCHOOL STUDENTS AND DEAN MYER

● Mr. DAINES. Mr. President, today I would like to recognize the students of Dawson County High School and Industrial Arts teacher Dean Myer. Thanks to their initiative and hard work, children and families in Dawson County will be able to create wonderful memories this summer at Penninger Park.

Due to staffing issues and delays at the Public Works Office, brandnew playground equipment had been sitting dormant in a storage unit for over a year and a half. The students and their teacher, Mr. Myer, recognized the problem and proactively decided pull the equipment out and construct it for all to enjoy.

Hands-on problem-solving is a wonderful Montana lesson, and I am proud to see our educators teaching the next generation practical skills in an innovative and community centered manner. With an eagerness to learn and help their community, they started work on the project in April and completed it before the end of the school year.

The students in Mr. Myers' class took on nearly every aspect of this project from reading the blue prints and measuring the site to learning how to operate complicated equipment. I am so impressed with the proactive teaching of Mr. Myer. I truly believe that you remember a lesson a lot longer if it requires you to get a little dirt under your fingernails.

Along with technical skills, the students learned an invaluable lesson on how to work together. Their teacher says, ''One thing the class really emphasizes is getting along with other workers.'' Thanks to their cooperation, Jack Rice, Glendive Public Works director, is now hoping to collaborate with Mr. Myers and future classes on upcoming community projects.

Their camaraderie and hard work will leave a lasting impact on the community of Glendive. For years to come, this park will be a place where Montanans can come to run, climb, laugh, and enjoy the outdoors. In 20 years, I hope that those responsible for this park will return to take their children to play on the slides and jungle gym they helped build.

Thank you to the students and Mr. Meyer. I look forward to hearing about the next innovative work you will do together to benefit Montanans in the future.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

The President pro tempore (Mr. HATCH) announced that on today, June 29, 2016, he has signed the following enrolled bill, which was previously signed by the Speaker pro tempore (Mr. HARRIS):

H.R. 3114. An act to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4902. An act to amend title 5, United States Code, to expand law enforcement availability pay to employees of U.S. Customs and Border Protection's Air and Marine Operations; to the Committee on Homeland Security and Governmental Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3110. A bill to provide for reforms of the administration of the outer Continental Shelf of the United States, to provide for the development of geothermal, solar, and wind energy on public land, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5952. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pentaerythritol tetrakis (3-(3,5-ditert-butyl-4-hydroxyphenyl)propionate); Exemption from the Requirement of a Tolerance'' (FRL No. 9947–45) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5953. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''2-propenoic acid, 2-methyl-, 2-oxiranylmethyl ester, polymer with ethene, ethenyl acetate, ethenyltrimethoxysilane and sodium ethenesulfonate (1:1); Tolerance Exemption'' (FRL No. 9947–34) received in

the Office of the President of the Senate on June 28, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5954. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General David L. Mann, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–5955. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Michael S. Tucker, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–5956. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Jeffrey W. Talley, United States Army Reserve, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–5957. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Inflation Adjustment of Civil Monetary Penalties'' (RIN1990–AA46) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Energy and Natural Resources.

EC–5958. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Settlement Intervals and Shortage Pricing in Markets Operated by Regional Transmission Organizations and Independent System Operators'' ((RIN1902–AF12) (Docket No. RM15–24–000)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Energy and Natural Resources.

EC–5959. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Energy Conservation Standards for Dehumidifiers'' ((RIN1904–AC81) (Docket No. EERE–2012–BT–STD–0027)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Energy and Natural Resources.

EC–5960. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Civil Monetary Penalty Inflation Adjustment Rate'' ((RIN2020–AA51) (FRL No. 9948–48–OECA)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Environment and Public Works.

EC–5961. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of Air Quality Implementation Plans; New Jersey, Carbon Monoxide Maintenance Plan'' (FRL No. 9948–57–Region 2) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Environment and Public Works.

EC–5962. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Revisions to the New Source Review State Implementation Plan; Air Permit Procedure Revisions'' (FRL No. 9948–47–Region 6) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Environment and Public Works.

EC–5963. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Baton Rouge Nonattainment Area; Base Year Emissions Inventory for the 2008 8-Hour Ozone Standard'' (FRL No. 9948–60-Region 6) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Environment and Public Works.

EC–5964. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; New Hampshire; Infrastructure Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standards ''(FRL No. 9948–58-Region 1) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Environment and Public Works.

EC–5965. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''2015 Report to Congress on the Comprehensive Community Mental Health Services for Children with Serious Emotional Disturbances''; to the Committee on Health, Education, Labor, and Pensions.

EC–5966. A communication from the Chair, Advisory Council on Alzheimer's Research, Care, and Services, transmitting, pursuant to law, a report that includes recommendations for improving federally and privately funded Alzheimer's programs; to the Committee on Health, Education, Labor, and Pensions.

EC–5967. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–6539)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5968. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–6547)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5969. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–2458)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5970. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–5592)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5971. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–1428)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5972. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–2965)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5973. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–4814)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5974. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled'' Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–3988)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5975. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–7532)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5976. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0657)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5977. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters (Previously Eurocopter France)'' ((RIN2120–AA64) (Docket No. FAA–2015–3970)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5978. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0734)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5979. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Division

Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2015–4474)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5980. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2015–4344)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5981. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Mitsubishi Heavy Industries, Ltd. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–1363)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5982. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Kaman Aerospace Corporation'' ((RIN2120–AA64) (Docket No. FAA–2016–0183)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5983. A communication from the Management and Program Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; DG Flugzeugbau GmbH Gliders'' ((RIN2120–AA64) (Docket No. FAA–2015–1130)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5984. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Turbomeca S.A. Turboshaft Engines'' ((RIN2120–AA64) (Docket No. FAA–2015–5539)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5985. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Piper Aircraft, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0338)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5986. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''IFR Altitudes; Miscellaneous Amendments'' ((RIN2120–AA63) (Docket No. 31075)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5987. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Hollis, OK'' ((RIN2120–AA66) (Docket No. FAA–2016–0835)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5988. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Moriarty, NM'' ((RIN2120–AA66) (Docket No. FAA–2015–8060)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5989. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Danville, AR'' ((RIN2120–AA66) (Docket No. FAA–2015–4836)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5990. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Ketchum, OK'' ((RIN2120–AA66) (Docket No. FAA–2016–1288)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5991. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Horseshoe Bend, AR'' ((RIN2120–AA66) (Docket No. FAA–2015–5802)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5992. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Deer Lodge, MT'' ((RIN2120–AA66) (Docket No. FAA–2015–3773)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5993. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Coldwater, KS'' ((RIN2120–AA66) (Docket No. FAA–2015–5194)) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5994. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (89); Amdt. No. 3692'' (RIN2120–AA65) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5995. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (45); Amdt. No. 3691'' (RIN2120–AA65) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5996. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (34); Amdt. No. 3689'' (RIN2120–AA65) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5997. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (97); Amdt. No. 3690'' (RIN2120–AA65) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5998. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Driving of Commercial Motor Vehicles: Use of Seat Belts'' (RIN2126–AB87) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5999. A communication from the Acting Deputy Chief Financial Officer and Director for Financial Management, Office of the Chief Financial Officer and Assistant Secretary for Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Civil Monetary Penalty Adjustments for Inflation'' (RIN0605–AA44) received in the Office of the President of the Senate on June 28, 2016; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRAHAM, from the Committee on Appropriations, without amendment:

S. 3117. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2017, and for other purposes (Rept. No. 114–290).

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, with an amendment in the nature of a substitute:

S. 1870. A bill to amend the Small Business Act to require the Administrator of the Small Business Administration to carry out a pilot program on issuing grants to eligible veterans to start or acquire qualifying businesses, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

Peggy E. Gustafson, of Maryland, to be Inspector General, Department of Commerce.

*Michael A. Khouri, of Kentucky, to be a Federal Maritime Commissioner for a term expiring June 30, 2021.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ISAKSON (for himself, Mr. BENNET, Mr. GARDNER, and Mr. PERDUE):

S. 3107. A bill to amend title XVIII of the Social Security Act to provide for a temporary exception to the application of the Medicare long-term care hospital site neutral provisions for certain spinal cord specialty hospitals; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Mr. SCHATZ, Mr. WYDEN, Mr. MERKLEY, and Mr. BOOKER):

S. 3108. A bill to decrease the incidence of food waste, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. HEITKAMP (for herself and Mr. LANKFORD):

S. 3109. A bill to require Inspectors General to make open recommendations publicly available; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASSIDY (for himself, Ms. MURKOWSKI, Mr. SCOTT, Mr. VITTER, Mr. TILLIS, and Mr. SULLIVAN):

S. 3110. A bill to provide for reforms of the administration of the outer Continental Shelf of the United States, to provide for the development of geothermal, solar, and wind energy on public land, and for other purposes; read the first time.

By Mr. PORTMAN (for himself and Mr. BROWN):

S. 3111. A bill to amend the Internal Revenue Code of 1986 to extend the 7.5 percent threshold for the medical expense deduction for individuals age 65 or older; to the Committee on Finance.

By Mr. HELLER (for himself and Mr. CASEY):

S. 3112. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. KLOBUCHAR (for herself and Ms. COLLINS):

S. 3113. A bill to amend Public Health Service Act to authorize grants for training and support services for families and caregivers of people living with Alzheimer's disease or a related dementia; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MCCAIN:

S. 3114. A bill to express the sense of the Senate regarding the safe and expeditious resettlement to Albania of all residents of Camp Liberty; to the Committee on Foreign Relations.

By Mr. WICKER (for himself and Mr. BROWN):

S. 3115. A bill to amend the Public Health Service Act with respect to a national pediatric research network; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER (for himself, Mr. HELLER, Mr. KAINE, and Mr. GARDNER):

S. 3116. A bill to amend the loan counseling requirements under the Higher Education Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRAHAM:

S. 3117. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2017, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Ms. WARREN (for herself and Mr. WARNER):

S. 3118. A bill to amend the Commodity Exchange Act to clarify which fees the Commodity Futures Trading Commission may assess and collect, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. GARDNER (for himself and Mr. LEE):

S. 3119. A bill to require reductions in the direct cost of Federal regulation that are proportional to the amount of increases in the debt ceiling; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 3120. A bill to apply the provisions of the Patient Protection and Affordable Care Act to Congressional members and members of the executive branch; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WHITEHOUSE:

S. 3121. A bill to require the Secretary of the Army to carry out a comprehensive assessment and management plan to restore aquatic ecosystems in the North Atlantic coast region; to the Committee on Environment and Public Works.

By Mr. SCHATZ (for himself, Mr. DURBIN, Mr. WHITEHOUSE, Mr. SANDERS, Mr. MARKEY, Mr. MERKLEY, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. BOOKER, and Mr. CARDIN):

S. 3122. A bill to reinstate Federal Pell Grant eligibility for individuals incarcerated in Federal and State penal institutions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEE (for himself and Mr. COTTON):

S. 3123. A bill to provide for the continuation with respect to the United Kingdom of existing commercial agreements between the United States and the European Union, to encourage the President to expeditiously negotiate a new comprehensive bilateral trade agreement with the United Kingdom, and for other purposes; to the Committee on Finance.

By Mrs. ERNST (for herself, Mr. GRASSLEY, Mr. SASSE, and Mrs. FISCHER):

S. 3124. A bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes; to the Committee on the Judiciary.

By Mr. CASEY (for himself and Mr. ISAKSON):

S. 3125. A bill to establish a designation for jurisdictions permissive to terrorism financing, to build the capacity of partner nations to investigate, prosecute, and hold accountable terrorist financiers, to impose restrictions on foreign financial institutions that provide financial services for terrorist organizations, and for other purposes; to the Committee on Foreign Relations.

By Mr. GRAHAM (for himself, Mr. MCCAIN, Mr. ISAKSON, Mr. BLUNT, and Mr. RISCH):

S.J. Res. 36. A joint resolution proposing an amendment to the Constitution of the United States relating to parental rights; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself and Mr. GARDNER):

S. Res. 515. A resolution welcoming Prime Minister Lee Hsien-Loong to the United States and reaffirming Singapore's strategic partnership with the United States, encompassing broad and robust economic, military-to-military, law enforcement, and counter-terrorism cooperation; to the Committee on Foreign Relations.

By Mr. ALEXANDER (for himself, Mr. CORKER, and Ms. MIKULSKI):

S. Res. 516. A resolution relative to the death of Pat Summitt, head coach emeritus of the University of Tennessee women's basketball team; considered and agreed to.

By Mr. SESSIONS (for himself, Mr. SHELBY, Mr. VITTER, Mr. MORAN, Mr. CARDIN, Mr. BLUNT, Mr. MENENDEZ, Mrs. BOXER, Mr. DAINES, Ms. WARREN, Mr. BOOKER, Ms. AYOTTE, and Mr. GRAHAM):

S. Res. 517. A resolution designating September 2016 as ''National Prostate Cancer Awareness Month''; considered and agreed to.

By Mr. ENZI (for himself, Ms. HEITKAMP, Mr. BARRASSO, Mr. REID, Mr. CRAPO, Mr. TESTER, Mr. RISCH, Mr. UDALL, Mr. INHOFE, Mr. HEINRICH, Mr. ROUNDS, Mr. MERKLEY, Mr. THUNE, Mr. HOEVEN, Mr. CORNYN, and Mr. LANKFORD):

S. Res. 518. A resolution designating July 23, 2016, as ''National Day of the American Cowboy''; considered and agreed to.

By Mr. WICKER (for himself and Mr. COCHRAN):

S. Res. 519. A resolution recognizing the 300th anniversary and historical significance of the city of Natchez, Mississippi; considered and agreed to.

ADDITIONAL COSPONSORS

S. 6

At the request of Mr. UDALL, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 6, a bill to reform our government, reduce the grip of special interest, and return our democracy to the American people through increased transparency and oversight of our elections and government.

S. 386

At the request of Mr. THUNE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 386, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 578

At the request of Ms. COLLINS, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 578, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 689

At the request of Mr. THUNE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 689, a bill to provide protections for certain sports medicine

professionals who provide certain medical services in a secondary State.

S. 785

At the request of Mr. CASEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 785, a bill to amend the Safe Drinking Water Act to repeal a certain exemption for hydraulic fracturing, and for other purposes.

S. 901

At the request of Mr. MORAN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 901, a bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces that are related to that exposure, to establish an advisory board on such health conditions, and for other purposes.

S. 1013

At the request of Mr. COCHRAN, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 1013, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program, and for other purposes.

S. 1089

At the request of Mr. BENNET, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1089, a bill to encourage and support partnerships between the public and private sectors to improve our Nation's social programs, and for other purposes.

S. 1500

At the request of Mr. CRAPO, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1500, a bill to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes.

S. 1555

At the request of Ms. HIRONO, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1663

At the request of Mr. BLUMENTHAL, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1663, a bill to better protect, serve, and advance the rights of victims of elder abuse and financial exploitation by encouraging States and other qualified entities to hold offenders accountable, enhance the capacity of the justice system to investigate, pursue, and prosecute elder abuse cases, identify existing resources to leverage to the extent possible, and assure data collection, research, and evaluation to promote the efficacy and efficiency of the activities described in this Act.

S. 1714

At the request of Mr. MANCHIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 1831

At the request of Mr. TOOMEY, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 1831, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 2067

At the request of Mr. WICKER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2067, a bill to establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

S. 2193

At the request of Mr. CRUZ, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 2193, a bill to amend the Immigration and Nationality Act to increase penalties for individuals who illegally reenter the United States after being removed and for other purposes.

S. 2196

At the request of Mr. CASEY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2196, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 2386

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2386, a bill to authorize the establishment of the Stonewall National Historic Site in the State of New York as a unit of the National Park System, and for other purposes.

S. 2531

At the request of Mr. KIRK, the names of the Senator from South Carolina (Mr. SCOTT), the Senator from West Virginia (Mrs. CAPITO) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 2531, a bill to authorize State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 2590

At the request of Ms. STABENOW, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2590, a bill to amend title XXI of the Social Security Act to improve access to, and the delivery of, children's health services through school-based health centers, and for other purposes.

S. 2659

At the request of Mr. BURR, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2659, a bill to reaffirm that the Environmental Protection Agency cannot regulate vehicles used solely for competition, and for other purposes.

S. 2712

At the request of Mr. BOOZMAN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 2712, a bill to restore amounts improperly withheld for tax purposes from severance payments to individuals who retired or separated from service in the Armed Forces for combat-related injuries, and for other purposes.

S. 2795

At the request of Mr. INHOFE, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 2795, a bill to modernize the regulation of nuclear energy.

S. 2822

At the request of Mr. PORTMAN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2822, a bill to continue the use of a 3-month quarter EHR reporting period for health care providers to demonstrate meaningful use for 2016 under the Medicare and Medicaid EHR incentive payment programs, and for other purposes.

S. 2904

At the request of Mr. WHITEHOUSE, the names of the Senator from California (Mrs. BOXER), the Senator from Florida (Mr. NELSON) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 2904, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 2960

At the request of Mr. BOOKER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2960, a bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, and for other purposes.

S. 2962

At the request of Ms. CANTWELL, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 2962, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 2989

At the request of Ms. MURKOWSKI, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2989, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 3026

At the request of Mr. SCHUMER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 3026, a bill to amend the Communications Act of 1934 to expand and clarify the prohibition on inaccurate caller identification information and to require providers of telephone service to offer technology to subscribers to reduce the incidence of unwanted telephone calls, and for other purposes.

S. 3031

At the request of Mr. MURPHY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 3031, a bill to require certain standards and enforcement provisions to prevent child abuse and neglect in residential programs, and for other purposes.

S. 3060

At the request of Mr. GRASSLEY, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 3060, a bill to provide an exception from certain group health plan requirements for qualified small employer health reimbursement arrangements.

S. 3083

At the request of Mr. MENENDEZ, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 3083, a bill to provide housing opportunities in the United States through modernization of various housing programs, and for other purposes.

S. 3095

At the request of Mr. BOOKER, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 3095, a bill to prohibit sale of shark fins and for other purposes.

S. 3106

At the request of Mr. REID, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of S. 3106, a bill to provide a coordinated regional response to effectively manage the endemic violence and humanitarian crisis in El Salvador, Guatemala, and Honduras.

S.J. RES. 35

At the request of Mr. FLAKE, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Mississippi (Mr. WICKER), the Senator from Tennessee (Mr. CORKER), the Senator from Arkansas (Mr. COTTON) and the Senator from Utah (Mr. LEE) were added as cosponsors of S.J. Res. 35, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of Labor relating to ''Interpretation of the 'Advice' Exemption in Section 203(c) of the Labor-Management Reporting and Disclosure Act''.

S. RES. 432

At the request of Mr. CARDIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. Res. 432, a resolution supporting respect for human rights and encouraging inclusive governance in Ethiopia.

S. RES. 504

At the request of Mr. BOOZMAN, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. Res. 504, a resolution recognizing the 70th anniversary of the Fulbright Program.

AMENDMENT NO. 4875

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of amendment No. 4875 intended to be proposed to S. 2328, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

AMENDMENT NO. 4900

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 4900 intended to be proposed to S. 2328, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

AMENDMENT NO. 4904

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 4904 intended to be proposed to S. 2328, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

AMENDMENT NO. 4909

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 4909 intended to be proposed to S. 2328, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

AMENDMENT NO. 4911

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of amendment No. 4911 intended to be proposed to S. 2328, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

AMENDMENT NO. 4918

At the request of Mr. LEE, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of amendment No. 4918 intended to be proposed to S. 2328, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

AMENDMENT NO. 4919

At the request of Mr. LEE, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of amendment No. 4919 intended to be proposed to S. 2328, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

AMENDMENT NO. 4920

At the request of Mr. LEE, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of amendment No. 4920 intended to be proposed to S. 2328, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

AMENDMENT NO. 4921

At the request of Mr. LEE, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of amendment No. 4921 intended to be proposed to S. 2328, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

AMENDMENT NO. 4923

At the request of Mr. LEE, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of amendment No. 4923 intended to be proposed to S. 2328, a bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. VITTER:

S. 3120. A bill to apply the provisions of the Patient Protection and Affordable Care Act to Congressional members and members of the executive branch; to the Committee on Homeland Security and Governmental Affairs.

Mr. VITTER. Mr. President, I rise today to discuss a really outrageous abuse of power on the part of Members of this body, Members of the House, Washington officials in general. While imposing ObamaCare on everyone else, officials in Washington have largely exempted themselves from ObamaCare's most inconvenient aspects through yet another illegal Obama Executive action that created the Washington exemption from ObamaCare.

Unfortunately, this is not a new practice on the part of the Washington elite. Washington lawmakers often create or support exemptions for themselves from the laws they pass on everyone else. This undemocratic practice dates back to the 19th century at least—the Civil Service Act of 1883; the Fair Labor Standards Act of 1938, coming into the 20th century; the Freedom of Information Act of 1966. The list goes on and on.

As the late Representative Henry Hyde is famously quoted as saying

many years ago, ''Congress would exempt itself from the law of gravity if it could.'' That is sadly true, and this practice must end.

I have always believed the first rule of an American democracy should be that whatever Washington passes on America, it should have to live under itself—no special exemptions, no special subsidies, no special deals, no special treatment. This rule is important for two reasons. The first reason is basic fairness. It is simply not fair for a select group of elites to live by a different and more beneficial set of rules than everyone else. The second reason, perhaps even more importantly, is a key practical reason; that is, when you make the chef eat his own cooking, it almost always gets better and often in a hurry. Congress can be an effective, responsive, truly representative legislative body only when it lives under the same laws it imposes on the rest of the country.

Passing ObamaCare, the Patient Protection and Affordable Care Act, was a huge, complicated undertaking on the part of its advocates. Related to that, it was certainly telling when then-Speaker of the House NANCY PELOSI notoriously declared: ''We have to pass the bill so we can find out what is in it.'' After passing the bill, when Members of Congress realized what was in it for them, they scurried to figure out a scheme that would protect their own elite health care, including taxpayer-funded subsidies that don't exist in the ObamaCare statute at all, much less for anyone else.

Of course, there were even more serious problems in the ObamaCare statute for all Americans. When President Obama signed ObamaCare into law in March of 2010, it consisted of poorly written language that imposed drastic and unwanted health insurance changes on countless Americans. Despite the President's promise that Americans could keep their existing insurance, the law said otherwise. The cost of complying or failing to comply with ObamaCare belied the President's false assurances.

In the following months, insurers and employers and Americans realized this through the cancellation or nonrenewals of insurance plans for millions of Americans. Ultimately, millions of American workers faced burdens, including losing their individual and employer-provided coverage, being forced into alternatives that involved paying higher premiums with unwanted or useless new coverage, and having to change doctors and health care providers against their will.

As I said earlier, simultaneous with all of this, Members of Congress started to realize what was in ObamaCare for them. When they passed ObamaCare, they had revoked Congress's own generous health care coverage and the monthly employer government premium contributions that went with it.

Prior to ObamaCare, Members of Congress and their staff received health insurance coverage through the Federal Employees Health Benefits Program, or the FEHBP, run by the Office of Personnel Management. It had served as the health care network for Federal workers since 1959.

In 2013 alone, FEHBP represented the country's largest employer-sponsored health insurance program, with costs approaching $32.4 billion in premiums for about 8 million enrollees. One of the benefits of FEHBP was the wide variety of health insurance policies that provided coverage for individuals and their family members. Even more important was that FEHBP provided a taxpayer-funded government contribution to each enrollee's monthly premium.

In 2013 alone, the maximum FEHBP averaged $413 a month or almost $5,000 per year for individual coverage, and $920 a month or over $10,000 a year for family coverage.

An added bonus was that these taxpayer-funded contributions counted as tax-free income to employees. This is certainly a great benefit for Federal employees, and I absolutely believe they should be treated fairly in return for the public service they provide. I also believe Congress has to follow the law as written, and that is when we get to ObamaCare.

ObamaCare very clearly and specifically changed all of this. It mandated that Members of Congress and congressional staff give up that FEHBP coverage beginning January 1, 2014, and join an ObamaCare health insurance exchange. The relevant section of the act is crystal clear. It says: ''Notwithstanding any other provisions of law, after the effective date of this subtitle, the only health plans that the Federal Government may make available to Members of Congress and congressional staff with respect to their services as a Member of Congress or congressional staff shall be health plans that are—(I) created under this Act (or an amendment made by this Act); or (II) offered through an Exchange established under this Act (or an amendment made by this Act).''

It changed our entire coverage, clearly, unequivocally. The word ''notwithstanding'' means ''in spite of,'' sweeping aside any other provision of law. It definitively dictates that section 1312(d)(3)(D) takes precedence over any other conflicting provision in the bill or anywhere in the code. Some folks may not like that, but that is the law. That became the law, clearly and unequivocally, when ObamaCare was passed into law.

It didn't have to be exactly that way. For instance, Senator CHUCK GRASSLEY introduced an amendment during debate on the ObamaCare bill that would have changed this final language regarding how ObamaCare impacts Congress. The Grassley amendment clearly described which Federal employees were subject to the law and must enroll on the new exchanges. That wasn't different. It included the President, the Vice President, each Member of Congress, each political appointee, and each congressional employee, but it also permitted Federal employees to continue receiving the employer-government contributions like those received under FEHBP. However, the Senate never voted on that language, on that Grassley amendment, before ObamaCare became law. Even more telling, even more significant, after ObamaCare became law, Senator GRASSLEY again offered that language. He got a vote then, and that language was defeated in the Senate 56 to 43.

The final Obama language very clearly states Members of Congress must purchase their health insurance on a State-based or Federal exchange, and it has absolutely no provision for a rich, taxpayer-funded subsidy. That is why I followed that law. I personally signed up for health insurance on Louisiana's individual health care exchange. It definitely costs me more money, and it definitely costs my family more money, but that is what the law says we have to do.

As millions of Americans face the possibility of losing the health insurance they had that they liked and wanted to keep, as I mentioned a few minutes ago, Members of Congress faced increased expenses on their own personal new health insurance plans. Which of these two problems do you think Congress scrambled to solve? You guessed it—their own; not all of America's problems, the Washington elite's problems. They made a determined effort to find a way to protect themselves, and sadly this was a fully bipartisan, bicameral effort that ultimately led to Washington's exemption from ObamaCare.

With the January 1, 2014, deadline quickly approaching for Congress to give up its FEHBP benefits, congressional leadership scrambled for a solution. Press reports at the time indicated that top lawmakers initiated confidential talks with Obama administration officials to carve out a suitable exemption from ObamaCare.

After extended closed-door deliberations, a proposal emerged that involved using OPM, the Office of Personnel Management, to promulgate a special agency rule that only applied to Congress. During the rulemaking process, OPM admitted that ''many commenters expressed their view that a Government contribution is antithetical to the intent of Section 1312 of the Affordable Care Act, which they interpret to require Members of Congress and congressional staff to purchase the same health insurance available to private citizens on the Exchanges. Commenters asserted that Members of Congress and congressional staff should be subject to the same requirements as citizens purchasing insurance on the Exchanges, including individual responsibility for premiums and income restrictions for premium assistance.'' That was in Politico, and I certainly agree with the sentiment. That is what ObamaCare and the statute said.

Members of Congress should absolutely live under the laws they pass. Unfortunately, though, under this cleverly hatched scheme, OPM disregarded these comments and moved forward with its insider rule. Through illegal executive action—an executive action contrary to the ObamaCare statute—the final OPM rule in effect declared Congress to be a small business so that Members of Congress and staff could purchase plans on DC's small business exchange explicitly reserved under the ObamaCare statute for small businesses of 50 employees or fewer. This rule also permitted the Washington insiders to receive a generous employer contribution toward their premiums that is not noted anywhere in the ObamaCare statute.

OPM's final rule did two things: First, it allowed all Members of Congress and staff to purchase insurance on this DC small business exchange created for small businesses. It was clearly created for businesses with 50 employees or fewer. Second, it made sure that the small employer contribution would be equal to Congress's previously acquired FEHBP contributions.

With OPM's final rule, Members of Congress and congressional staff would not have to pay any extra out-of-pocket expenses like so many millions on the ObamaCare exchanges had to pay.

I guess this is great news for Congress, but there are major problems with this final rule that make it just flatout wrong and flatout illegal and contrary to the ObamaCare statute.

The first thing that makes it flatout wrong is that it was specific to Members of Congress and congressional staff—a solution for the Washington insiders when millions of Americans continued to suffer the serious negative consequences of ObamaCare.

Second, it suggested it pushed Congress into this DC small business exchange when Congress is obviously not a small business and this exchange was created for the benefit of small businesses.

Third, the relevant statute in ObamaCare says nothing about any employer subsidy for members of staff, no taxpayer-funded subsidy, and yet OPM's rule created this out of thin air.

A fourth problem is one of the most egregious examples of how big a scam this rule is. Members of Congress actually have the option to designate any or all of their staff as ''not official,'' thus allowing the staff to stay on their old FEHBP plans to avoid the exchanges altogether, which was the intent of that ObamaCare provision. This completely frustrates the crystal-clear language of ObamaCare for those staff members in a blatant way. Again, that problem is egregious and just underscores how big a scam this rule is. Those staff members use official taxpayer-funded resources. They get paychecks funded by the taxpayer. It is official. They use official letterhead, official everything, official resources, but somehow they are not official for purposes of this ObamaCare provision. That is outrageous.

In 2014, when all of this went into effect, I served as the ranking member on the Senate EPW Committee. I certainly considered all of my staff, including committee staff, to be official government employees. It is obvious they were. I made sure they were all designated as official and had to go to the exchanges. When I took over as chairman of the Small Business Committee last year, I again absolutely did the right thing and designated my committee staff, as well as my personal staff, as official. They clearly are official.

Let's go back to the OPM rule. In order for U.S. House and Senate Members and staff to enroll in this DC small business exchange, the Senate and the House of Representatives had to submit online applications. In September 2014, Judicial Watch, a government watchdog organization, asked for and eventually received several documents from the DC Health Benefits Exchange Authority in response to their Freedom of Information Act request related to Congress receiving benefits under this DC small business exchange. The documents included nine pages of applications completed and submitted online for U.S. House and Senate Members and for House staff to enroll on that DC small business exchange.

If the House and Senate completed the online applications with truthful information, they would have been automatically rejected on the computer by the DC exchange software system based on employee size and other prohibitive factors. What happened? Well, as you can see, what was submitted were blatantly false applications—applications with completely and blatantly false information. We have an example from the U.S. Senate.

First, all of the applications state that each legislative body—the House on the one hand and the Senate on the other—employed 45 full-time equivalent employees during the previous calendar year. In order to get on this small business exchange, they were asked how many employees—the U.S. House of Representatives, 45; the U.S. Senate, 45. Here is the number right here on the application. It is blatantly, obviously, and laughably false.

Second, all three applications include blatantly false employee names and birth dates that were asked to be listed.

Third, they falsified the category of the U.S. House of Representatives and the U.S. Senate. Both Federal legislative bodies were entitled as State or local government entities to squeeze onto this small business exchange.

It should be noted that the applications submitted on behalf of the House on the one hand and the Senate on the other contain these three identical misrepresentations. These identical false statements are evidence of a carefully coordinated scheme. The two forms allege exactly the same erroneous number of full-time equivalent employees—45—just under the maximum allowed of 50. They contain the exact same false employee name and birth date information. They use exactly the same false employer classification, State and local government.

The coordinated effort shown on both applications likely originated from the same source who either personally completed them or gave instructions to others on how to complete them. Knowingly filing false information on a government document is illegal. No legitimate private business would be able to get away with this—what Congress did to gain access to this DC small business exchange—without facing serious penalties and serious adverse consequences.

Maybe even more concerning than the information we see on these applications is the information we don't see because much of the documents Judicial Watch obtained—much of the information was redacted and blacked out. Redactions are a tool generally used to protect an individual's personal or confidential information. In this case, the redactions intentionally established additional obstacles for those seeking transparency and accountability regarding Congress's action. In other words, they just hide exactly who was responsible for submitting these blatantly false applications. The redacted applications are really a startling illustration of the extent to which Congress is willing to go in order to protect itself and its special perks and privileges.

As chairman of the Small Business Committee, I am authorized to investigate ''all problems of American small business enterprises.'' For a large entity like Congress to improperly take advantage of systems in place that are meant for small businesses is really doubly insulting and within our jurisdiction.

On February 3, 2015, I sent a letter to officials at the House of Representatives, the Senate, and the DC exchange authority requesting information that included copies of the nine pages of the applications we talked about unredacted. We wanted all the information with nothing blacked out.

The Chief Administrative Officer for the House of Representatives declined to respond based on the claim that the Senate Small Business Committee lacked jurisdiction to investigate ''internal operations of the House of Representatives.''

The clerk of the Senate Dispersing Office recited a background of the OPM rule and nothing more. In other words, they just stonewalled.

Finally, the DC Health Benefits Exchange Authority refused to comply on the grounds that a pending lawsuit filed by Judicial Watch prevented it from doing so. In March of 2015, officials from that authority agreed to meet with my committee staff to discuss producing the nine pages of applications in their original, unredacted

form, but at the meeting, these officials flatly refused to produce this, citing new privacy concerns.

Followup correspondence with all three entities again yielded nonresponses—basically more stonewalling.

During this time, I also sent three letters to then-OPM Director Katherine Archuleta requesting all communications between OPM and Members of Congress or officials at the White House regarding the final OPM rule. OPM failed to provide any of that information.

The only viable option I could see to move forward with my investigation was compulsory means through the issuance of a subpoena to the DC Health Benefits Exchange Authority to get the nine pages of applications in their original form, unredacted, without protecting those responsible. In order to issue a subpoena, committee rules dictated that as chairman I would need either the consent of the committee's ranking Democratic member or the approval of a majority of the committee members, which would be 10 members.

On April 23, 2015, I convened a committee business meeting that included deliberation and a vote on issuing that subpoena.

As it turns out, Members, regardless of party, are willing to go to great lengths to protect their perks and taxpayer-funded subsidies, because the motion to issue the subpoena failed by a vote of 5 to 14, with five Republican Members—just the necessary number to stop the subpoena—joining all of the committee's Democrats to block the subpoena.

Now, it is no surprise to anybody who knows me that we didn't stop there, that the committee investigation and the work didn't stop there.

In February of this year, when the Senate Committee on Homeland Security and Governmental Affairs conducted a hearing on the President's nomination of Beth Cobert to become the permanent OPM Director, I again became engaged over this issue. In my numerous attempts to engage OPM in an honest conversation about how their final rule came to be, I never received any meaningful response. So I followed up with a letter to Ms. Cobert, who is serving as OPM's Acting Director. While her office did provide some useful information, her response largely failed to answer my questions.

It is interesting that while all of this was going on, at the same time, everyone employed by Congress received a form from the IRS. It is called form 1095–C. Excuse me. It is an IRS form. It comes, in the case of the Senate employees, from the Senate Disbursing Office, and it confirms the obvious: that people who work in the Senate—Members, staff—and people who work in the House—Members, staff—are employed by a large employer.

As the Presiding Officer may know, the Internal Revenue Code requires ''applicable large employers,'' the definition of which is 50 or more full-time employees, to report information of offers of health coverage and enrollment in health coverage for their employees. So it demands this form, and everybody in the Senate and everybody in the House got this form.

Now, this IRS form, sent to all Members and all staff, shows that everything we are talking about—the lie that enabled the Senate and the House to get on the DC small business exchange—was just that. It was a lie. It contradicts everything that was represented in that category. The Senate Disbursing Office submitted an application that said the Senate has 45 total employees to the DC small business exchange, but the same Senate Disbursing Office distributed an IRS form that labels the Senate a large employer with over 50 employees.

So what is it? Well, it seems pretty clear. The IRS form is accurate. Obviously, the Senate and the House are large employers. The OPM rule allows the Senate to fraudulently claim to be a small business as part of this scam—Washington exemption from ObamaCare. OPM promulgated a rule that allows the Senate to purchase health insurance on a small business exchange. The law States that only small employers may purchase that on the exchange. The OPM rule just makes a mockery of the law and does this to establish that Washington exemption from ObamaCare.

This is a lot to take in and certainly very confusing. That is why I asked the head of the IRS and the acting head of OPM to clarify this. I wrote to IRS Commissioner Koskinen in February: ''Can you confirm that the United States Congress''—the House and the Senate—''is a large employer?''

Apparently, my pretty simple question didn't have a simple answer. The IRS responded that they had forwarded my question up the chain of command to the Department of the Treasury, and I still await Treasury's answer from February.

I also asked OPM Acting Director Cobert: ''Can you confirm the position of the OPM as to whether Congress is a small business . . . or is it a 'Large Employer' as indicated by the 1095C forms sent to Congressional employees?''

OPM's response was this: ''OPM does not take the position that Congress is a small employer, nor has OPM taken such a position in the past. Nothing in the proposed or final rule indicates that Congress shall be considered a small employer. . . . ''

Well, why the heck is Congress in a small business exchange limited under statute to 50 or fewer employees?

It is then when I decided to place a hold on Ms. Cobert's nomination to become permanent OPM Director, and I continue to block that nomination because of OPM and her clear role in this flagrant abuse of power regarding Washington's exemption from ObamaCare.

Her failure to revoke the illegal rule as well as her failure to disclose relevant information about the rulemaking process allows OPM's illegal rule to remain in place. This, in turn, allows Congress to continue to purchase health insurance on DC's small business exchange and to continue to receive a generous and illegal employer-contribution, taxpayer-funded subsidy.

My objective today remains what it has been for the last several years, and that is to flat out end Washington's exemption from ObamaCare. So I won't lift my hold on this nomination until we do that, until my colleagues have joined me in following the law, until OPM overturns its illegal rule—something of that sort. Yes, it is more expensive to purchase my health insurance on the exchange in Louisiana, but that is what the law dictates.

I don't believe this body will find the overall fix to ObamaCare until it truly has to live under ObamaCare, and that starts with no special Washington exemption from ObamaCare—no special deal, special rule, or special subsidy for Congress.

I don't particularly care if we fix this administratively or legislatively. I have certainly offered several legislative solutions in the past, but my colleagues seem to be intent on protecting their special perk and status.

Now, if it is not for themselves, many say at least it is for their valued staff. On that point, I am willing to compromise. Every time a Member of Congress objects to my past proposals, they always talk about staff. We all value staff. I get that. Certainly, I agree with that sentiment. So I am willing to take staff out of it. That is a distraction to this debate.

I am going to offer Members to take ownership and eat their own cooking—live by the ObamaCare statute, be treated as millions of other Americans are, and go to the ObamaCare exchanges with no special exemption, no special subsidy, no special deal, no special rule.

We could start today and, by holding Congress accountable, accept that important victory and, certainly, release my hold on Ms. Cobert's nomination.

With that end in mind, I have here a new bill focused on Members of Congress, the President, and the Vice President to end their special exemption from ObamaCare, and I will be formally introducing this legislation tonight. It is simply wrong for Washington insiders to carve out loopholes for themselves in order to avoid living under the laws Congress passes for the rest of America. This new bill, again, will cover Members of Congress, the President, the Vice President—not staff. We should do that as a minimum first step to live under the laws Congress passes on the rest of the country and live under the ObamaCare statute as it exists today.

Now is the time for action. So I urge my colleagues to join me in taking this

first step toward restoring the public's confidence in this body and the impartial rule of law. It is time to end the scam that is Washington's exemption from ObamaCare.

By Mr. SCHATZ (for himself, Mr. DURBIN, Mr. WHITEHOUSE, Mr. SANDERS, Mr. MARKEY, Mr. MERKLEY, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. BOOKER, and Mr. CARDIN):

S. 3122. A bill to reinstate Federal Pell Grant eligibility for individuals incarcerated in Federal and State penal institutions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. BOOKER. Mr. President, I rise today to support the introduction of the Restoring Education and Learning Act of 2016, REAL Act, legislation to improve our justice system by reinstating Pell Grant eligibility for people in State and Federal prisons. I thank Senator SCHATZ for his leadership on this issue, and I am proud to be an original cosponsor of this critical bill.

In 1965, President Lyndon Johnson signed into law the Higher Education Act of 1965, legislation that created the Federal Pell Grant program. Pell Grants are the single largest source of Federal aid that supports undergraduate students. Because Pell Grants are need-based, they primarily go to students from low-income families.

When Congress created the Pell Grant program its intent was clear—to expand access to higher education for students with limited resources. By creating Pell Grants, Congress sent an unmistakable message that our country's most valuable resource is the genius and talent of our people. In an increasingly competitive global economy, investing in the education of all Americans—young and old—helps bolster our country's leadership.

Unfortunately, far too many Americans are not eligible to receive Pell Grants simply because they are behind bars. In 1994, the Violent Crime Control and Law Enforcement Act completely eliminated Pell Grant eligibility for people who are incarcerated in State and Federal correctional institutions. This is flawed policy. Rather than enhance public safety, this policy change has made our communities less safe and has destroyed the potential of so many Americans who deserve a second chance. It is time we end this failed policy of the past. It is time we work to rebuild these broken individuals and allow them to acquire the skills they need to become contributing members of our society.

Today, I am proud to join with Senator SCHATZ in introducing the REAL Act. This criminal justice reform bill would restore Pell Grant eligibility for Americans who are in state or Federal Prison. This is important because if we truly want to reform our broken criminal justice system, we need to allow incarcerated people to engage in activities that will make them more prepared for life after prison, which will in turn make them less likely to recidivate. This bill would give returning citizens the tools they need to successfully reintegrate into their communities.

Last week, President Barack Obama announced a $30 million Second Chance Pell Grant pilot program. This program will expand access to Pell Grants for over 12,000 incarcerated students at 141 State and Federal institutions. However, the president's Second Chance Pell Grant pilot program does not extend to all incarcerated people nor does it codify this policy into law. By building on the president's work, the REAL Act would codify into law that prisoners are eligible for Pell Grants.

Our criminal justice system is broken. We lead the globe in the number of people we incarcerate and we waste billions and billions of dollars locking up human potential. Passing the REAL Act would reduce staggeringly high recidivism rates because we know individuals with college degrees are less likely to commit crimes. Additionally, today, more than ever, it is clear that obtaining a college degree has become essential to obtaining employment—a key element in reducing recidivism rates.

By precluding so many people from taking college classes, we are not only hurting those who are behind bars, but we are hurting ourselves. There is an old African saying that if you want to go fast go alone, but if you want to go far go together. This bill will help so many Americans get on the right path and turn their lives around. This bill would make us all stronger.

I am proud to be an original cosponsor of the REAL Act. I urge my colleagues to support this bill, and I urge its speedy passage in the Senate.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 515—WELCOMING PRIME MINISTER LEE HSIEN-LOONG TO THE UNITED STATES AND REAFFIRMING SINGAPORE'S STRATEGIC PARTNERSHIP WITH THE UNITED STATES, ENCOMPASSING BROAD AND ROBUST ECONOMIC, MILITARY-TO-MILITARY, LAW ENFORCEMENT, AND COUNTERTERRORISM COOPERATION

Mr. CARDIN (for himself and Mr. GARDNER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 515

Whereas in August 2016, as we commemorate 50 years of diplomatic relations between the United States and the Republic of Singapore, Prime Minister Lee Hsien-Loong of Singapore will make an official visit to the United States, including a State dinner on August 2nd;

Whereas the Republic of Singapore became independent on August 9, 1965, and the United States recognized Singapore's statehood in the same year;

Whereas Singapore and the United States established formal diplomatic relations in 1966;

Whereas under the leadership of its first Prime Minister Lee Kuan Yew, Singapore became an early and continued supporter of the United States' engagement in Asia to safeguard the peace, stability, and prosperity of the region;

Whereas in 2004 the United States and Singapore implemented the U.S.-Singapore Free Trade Agreement, the first bilateral trade agreement between the United States and an Asian country;

Whereas Singapore and the United States are major trading partners, with $64,000,000,000 in bilateral goods and services trade in 2014, and a United States trade surplus in both goods and services;

Whereas Singapore provided the United States access to its military facilities through a 1990 Memorandum of Understanding, supporting the continued security presence of the United States in Southeast Asia;

Whereas the United States and Singapore concluded a Strategic Framework Agreement in 2005, which recognizes Singapore as a ''Major Security Cooperation Partner of the United States'';

Whereas the United States and Singapore signed an enhanced Defense Cooperation Agreement in 2015, expanding dialogue and cooperation in areas such as humanitarian assistance, disaster relief, cyber defense, biosecurity, and public communications;

Whereas Singapore facilitates the rotational deployment of United States Navy Littoral Combat Ships at its Changi Naval Base;

Whereas the United States currently hosts 4 Republic of Singapore Air Force training detachments, comprising the Republic of Singapore Air Force's F–15SG and F–16 fighter jets, and Apache and Chinook helicopters, at bases in Arizona, Idaho, and Texas;

Whereas the U.S.-Singapore Third Country Training Program, established in 2012 and renewed in 2015, provides regional technical and capacity-building assistance in a wide variety of areas to assist recipient countries in reaching their development goals;

Whereas Singapore was a founding member of the Association of South East Asian Nations (ASEAN) in 1967 and remains a key partner of the United States in ASEAN-led mechanisms such as the East Asia Summit, ASEAN Regional Forum and the ASEAN Defense Ministers' Meeting Plus;

Whereas Singapore will be home to a U.S.-ASEAN Connect Center, an initiative announced at the U.S.-ASEAN summit in February 2016 to facilitate U.S.-ASEAN engagement and cooperation on energy, innovation, and entrepreneurship;

Whereas Singapore has played a critical role in enhancing shared maritime domain awareness in Southeast Asia through the establishment of the Republic of Singapore Navy's Information Fusion Center, to facilitate information-sharing and collaboration with partners, including the United States, against maritime security threats, and through the deployment of United States aircraft at Paya Lebar Air Base;

Whereas Singapore has been a cybersecurity leader in Southeast Asia, through the unified Cyber Security Agency, as the convener of the annual ASEAN CERT Incident Drill, and as host of the INTERPOL Global Complex for Innovation;

Whereas Singapore was the first Southeast Asian country to join the Global Coalition to Counter ISIL in November 2014, and has contributed an air refueling tanker, imagery analysis teams, and planning and liaison officers;

Whereas Singapore has supported counterterrorism efforts, through the sharing of domestic practices, participating in the White House Summit on Countering Violent Extremism in February 2015, and hosting the East Asia Summit Symposium on Religious Rehabilitation and Social Reintegration in April 2015:

Now, therefore, be it

Resolved, That the Senate—

(1) welcomes Prime Minister Lee Hsien-Loong of Singapore for his official visit to the United States and State Dinner on August 2nd, as the United States and Singapore commemorate the 50th anniversary of the Singapore-United States bilateral diplomatic relationship that has served as an anchor for the United States in Asia;

(2) affirms the importance of the United States-Singapore strategic partnership in securing regional peace and stability, including through rotational basing and logistical support arrangements that enhance the United States' presence in Southeast Asia;

(3) applauds the Republic of Singapore's leadership in counterterrorism, including the deployment of military assets as part of the anti-ISIL coalition and innovative counterterrorism efforts within the Asia-Pacific region;

(4) anticipates the deepening of the security relationship following the signing of an enhanced Defense Cooperation Agreement in Washington on December 7, 2015, and welcomes further cooperation in areas such as cybersecurity, humanitarian assistance and disaster relief, and defense technology;

(5) recognizes the vitality of the bilateral trade and investment relationship between the United States and Singapore;

(6) supports continued close cooperation between the United States and Singapore, through bilateral initiatives such as the U.S.-Singapore Third Country Training Program, and multilateral initiatives such as U.S.-ASEAN Connect announced at the recent U.S.-ASEAN Summit in Sunnylands, to build capacity for commercial engagement, energy development, innovation, trade facilitation, and to achieve development goals in the Asia-Pacific region; and

(7) urges the President to continue United States' support of multilateral institutions and fora such as the Asia-Pacific Economic Cooperation, East Asia Summit, ASEAN Regional Forum, and the ASEAN Defense Ministers' Meeting Plus, working in close cooperation with partners, such as the Republic of Singapore, who share a commitment to an inclusive, rules-based regional architecture.

SENATE RESOLUTION 516—RELATIVE TO THE DEATH OF PAT SUMMITT, HEAD COACH EMERITUS OF THE UNIVERSITY OF TENNESSEE WOMEN'S BASKETBALL TEAM

Mr. ALEXANDER (for himself, Mr. CORKER, and Ms. MIKULSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 516

Whereas coaching was the great passion of Pat Summitt's life and was an opportunity for her to work with student-athletes, help student-athletes discover their true potentials, and change the lives of the young women she coached;

Whereas Pat Summitt won 8 National Collegiate Athletic Association (referred to in this preamble as the ''NCAA'') championships, received National Coach of the Year honors 7 times over her career, and was recognized as the Naismith Women's Collegiate Coach of the Century in 2000;

Whereas Pat Summitt won the Gold Medal in the 1984 Summer Olympics as the head coach of the United States women's national basketball team;

Whereas the last team at the University of Tennessee that Pat Summitt coached finished the season with an overall record of 27–9, winning a Southeastern Conference Tournament Championship and earning a spot in the Elite Eight in the NCAA Women's Division I Basketball Championship in Iowa;

Whereas Pat Summitt, who had more wins than any other basketball coach, male or female, in NCAA history, concluded her coaching career after 38 seasons at the University of Tennessee on April 18, 2012;

Whereas Pat Summitt also worked off the court, holding a graduation record of 100 percent for all members of the University of Tennessee women's basketball team who completed their eligibility at the University of Tennessee during Coach Summitt's tenure;

Whereas Pat Summitt announced on August 23, 2011, that she had been diagnosed with early onset dementia, Alzheimer's type;

Whereas later in November 2011, Coach Summitt announced the Pat Summitt Foundation, which helps provide funding and research for Alzheimer's disease and dementia; and

Whereas, on May 29, 2012, President Barack Obama awarded the Presidential Medal of Freedom, the highest civilian honor of the United States, to Pat Summitt for her remarkable career as an unparalleled figure in women's team sports and for her courage in speaking out openly and courageously about her battle with early onset dementia, Alzheimer's type: Now, therefore, be it

Resolved, That—

(1) the Senate has heard with profound sorrow and deep regret the announcement of the death of Pat Summitt, head coach emeritus of the University of Tennessee women's basketball team; and

(2) the Senate instructs the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

SENATE RESOLUTION 517—DESIGNATING SEPTEMBER 2016 AS ''NATIONAL PROSTATE CANCER AWARENESS MONTH''

Mr. SESSIONS (for himself, Mr. SHELBY, Mr. VITTER, Mr. MORAN, Mr. CARDIN, Mr. BLUNT, Mr. MENENDEZ, Mrs. BOXER, Mr. DAINES, Ms. WARREN, Mr. BOOKER, Ms. AYOTTE, and Mr. GRAHAM) submitted the following resolution; which was considered and agreed to:

S. RES. 517

Whereas over 2,900,000 families in the United States live with prostate cancer;

Whereas 1 in 7 men in the United States will be diagnosed with prostate cancer in their lifetimes;

Whereas prostate cancer is the most commonly diagnosed nonskin cancer and the second-leading cause of cancer-related deaths among men in the United States;

Whereas the National Cancer Institute estimates that in 2016, 180,890 men will be diagnosed with, and more than 26,120 men will die of, prostate cancer;

Whereas 40 percent of newly diagnosed prostate cancer cases occur in men under the age of 65;

Whereas the odds of developing prostate cancer rise rapidly after age 50;

Whereas African-American men suffer from a prostate cancer incidence rate that is significantly higher than that of White men and have double the prostate cancer mortality rate than that of White men;

Whereas having a father or brother with prostate cancer more than doubles the risk of a man developing prostate cancer, with a higher risk for men who have a brother with the disease and the highest risk for men with several affected relatives, particularly if the relatives were young at the time that the cancer was found;

Whereas screening by a digital rectal examination and a prostate-specific antigen blood test can detect the disease at the earlier, more treatable stages, which could increase the chances of survival for more than 5 years to nearly 100 percent;

Whereas only 28 percent of men survive more than 5 years if diagnosed with prostate cancer after the cancer has metastasized;

Whereas there are no noticeable symptoms of prostate cancer in the early stages, making appropriate screening critical;

Whereas, in fiscal year 2015, the Director of the National Institutes of Health supported approximately $288,000,000 in research projects that focus specifically on prostate cancer;

Whereas ongoing research promises further improvements in prostate cancer prevention, early detection, and treatment; and

Whereas educating people in the United States, including health care providers, about prostate cancer and early detection strategies is crucial to saving the lives of men and preserving and protecting families: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2016 as ''National Prostate Cancer Awareness Month'';

(2) declares that steps should be taken—

(A) to raise awareness about the importance of screening methods for, and treatment of, prostate cancer;

(B) to encourage research—

(i) to improve screening and treatment for prostate cancer;

(ii) to discover the causes of prostate cancer; and

(iii) to develop a cure for prostate cancer; and

(C) to continue to consider ways to improve access to, and the quality of, health care services for detecting and treating prostate cancer; and

(3) calls on the people of the United States, interest groups, and affected persons—

(A) to promote awareness of prostate cancer;

(B) to take an active role in the fight to end the devastating effects of prostate cancer on individuals, families, and the economy; and

(C) to observe National Prostate Cancer Awareness Month with appropriate ceremonies and activities.

SENATE RESOLUTION 518—DESIGNATING JULY 23, 2016, AS ''NATIONAL DAY OF THE AMERICAN COWBOY''

Mr. ENZI (for himself, Ms. HEITKAMP, Mr. BARRASSO, Mr. REID, Mr. CRAPO, Mr. TESTER, Mr. RISCH, Mr. UDALL, Mr. INHOFE, Mr. HEINRICH, Mr. ROUNDS, Mr. MERKLEY, Mr. THUNE, Mr. HOEVEN, Mr. CORNYN, and Mr. LANKFORD) submitted the following resolution; which was considered and agreed to:

S. RES. 518

Whereas pioneering men and women, recognized as ''cowboys'', helped to establish the American West;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy spirit exemplifies strength of character, sound family values, and good common sense;

Whereas the cowboy archetype transcends ethnicity, gender, geographic boundaries, and political affiliations;

Whereas the cowboy, who lives off the land and works to protect and enhance the environment, is an excellent steward of the land and its creatures;

Whereas cowboy traditions have been a part of American culture for generations;

Whereas the cowboy continues to be an important part of the economy through the work of many thousands of ranchers across the United States who contribute to the economic well-being of every State;

Whereas millions of fans watch professional and working ranch rodeo events annually, making rodeo one of the most-watched sports in the United States;

Whereas membership and participation in rodeo and other organizations that promote and encompass the livelihood of cowboys span every generation and transcend race and gender;

Whereas the cowboy is a central figure in literature, film, and music and occupies a central place in the public imagination;

Whereas the cowboy is an American icon; and

Whereas the ongoing contributions made by cowboys and cowgirls to their communities should be recognized and encouraged: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 23, 2016, as ''National Day of the American Cowboy''; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

SENATE RESOLUTION 519—RECOGNIZING THE 300TH ANNIVERSARY AND HISTORICAL SIGNIFICANCE OF THE CITY OF NATCHEZ, MISSISSIPPI

Mr. WICKER (for himself and Mr. COCHRAN) submitted the following resolution; which was considered and agreed to:

S. RES. 519

Whereas American Indians made use of the land that is now Natchez, Mississippi (in this preamble referred to as ''Natchez'') before the first European explorers reached the area;

Whereas the bluff in Natchez overlooking the Mississippi River has served as a natural geological setting that encouraged trade and cultural development;

Whereas Natchez was founded as Fort Rosalie by French settlers under Jean-Baptiste Le Moyne De Bienville in 1716;

Whereas construction of Fort Rosalie was completed on August 3, 1716;

Whereas Fort Rosalie was destroyed by Natchez Indians in 1729 and rebuilt by the French in 1731;

Whereas Natchez came under British control in 1763 and under Spanish control in 1779;

Whereas the Treaty of San Lorenzo established Natchez as a United States territory in 1798;

Whereas Natchez served as the original capital of the Mississippi Territory from 1798 to 1802 and as the original capital of the State of Mississippi from 1817 to 1821;

Whereas Natchez is the terminus of the historically significant Old Natchez Trace, which is now preserved by the United States National Park Service and known as the Natchez Trace Parkway;

Whereas Natchez was the original home to Jackson State University, which was first known as Natchez Seminary;

Whereas Natchez has been home to several notable individuals, including United States Senator Hiram Rhodes Revels, United States Representative John R. Lynch, and author Richard Wright;

Whereas Natchez city events contribute to the cultural life and historical understanding of Mississippi, including—

(1) the Natchez Literary and Cinema Celebration;

(2) the Natchez Festival of Music;

(3) the Great Mississippi River Balloon Race; and

(4) the Natchez Pilgrimage;

Whereas the city of Natchez is currently holding a year-long tricentennial celebration, in honor of the history of Natchez, that will end with a 300th birthday party on August 3, 2016;

Whereas the heritage and educational events during the tricentennial celebration will be observed by delegations from France and Canada;

Whereas Natchez is signified nationally as the oldest European-built city on the lower Mississippi River; and

Whereas it is important for the people of Mississippi and the United States to remember history in an inclusive way that honors contributions from all backgrounds: Now, therefore, be it

Resolved, That the Senate—

(1) designates the year 2016 as the ''Natchez Tricentennial''; and

(2) honors the history and founding of Mississippi through the Natchez Tricentennial.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4929. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 4881 submitted by Ms. WARREN and intended to be proposed to the bill S. 2328, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table.

SA 4930. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 2328, supra; which was ordered to lie on the table.

SA 4931. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 2328, supra; which was ordered to lie on the table.

SA 4932. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2328, supra; which was ordered to lie on the table.

SA 4933. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2328, supra; which was ordered to lie on the table.

SA 4934. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2328, supra; which was ordered to lie on the table.

SA 4935. Mr. MCCONNELL (for Mr. ROBERTS) proposed an amendment to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

SA 4936. Mr. MCCONNELL proposed an amendment to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, supra.

SA 4937. Mr. MCCONNELL proposed an amendment to the bill S. 764, supra.

SA 4938. Mr. MCCONNELL proposed an amendment to amendment SA 4937 proposed by Mr. MCCONNELL to the bill S. 764, supra.

SA 4939. Mr. MCCONNELL proposed an amendment to amendment SA 4938 proposed by Mr. MCCONNELL to the amendment SA 4937 proposed by Mr. MCCONNELL to the bill S. 764, supra.

SA 4940. Mrs. FISCHER (for herself, Mr. BOOKER, Mr. NELSON, Mr. THUNE, Mr. SULLIVAN, Ms. CANTWELL, Mr. WICKER, and Mr. SCHATZ) proposed an amendment to the bill S. 2829, to amend and enhance certain maritime programs of the Department of Transportation, and for other purposes.

SA 4941. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table.

SA 4942. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 764, supra; which was ordered to lie on the table.

SA 4943. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 764, supra; which was ordered to lie on the table.

SA 4944. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 764, supra; which was ordered to lie on the table.

SA 4945. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 764, supra; which was ordered to lie on the table.

SA 4946. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 764, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4929. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 4881 submitted by Ms. WARREN and intended to be proposed to the bill S. 2328, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

(d) TECHNICAL CORRECTIONS.—Notwithstanding any other provision of this Act—

(1) section 301 of this Act is amended—

(A) in subsection (a), by striking ''however,'' and inserting ''however the reference to section 943(b) of title 11, United States Code, in section 930(a)(5) of title 11, United States Code, shall mean section 314 of this title, and'';

(B) in subsection (c)—

(i) in paragraph (3)(B), by inserting ''such'' after ''vote''; and

(ii) in paragraph (4), by striking ''and/or'' and inserting ''or'';

(C) in subsection (e), by striking ''1122'' and inserting ''314(c)(1)''; and

(D) in section 302, by inserting ''only'' after ''title'';

(2) section 303 of this Act is amended—

(A) in paragraph (2), by inserting ''or moratorium'' after ''composition''; and

(B) in paragraph (3), by striking ''unlawful'';

(3) section 304 of this Act is amended—

(A) in subsection (a), by striking ''voluntary'';

(B) in subsection (f), by striking ''the cases of'';

(C) in subsection (g), by striking '', on behalf of a debtor and one or more affiliates, has filed separate cases and the Oversight Board, on behalf of the debtor or one of the affiliates,'' and inserting ''has filed separates cases on behalf of debtors that are affiliates and the Oversight Board on behalf of one or more of the debtors'';

(D) in subsection (h), by inserting ", only to the extent that such obligations are being enforced or will be enforced by governmental units" after "provisions"; and

(E) in subsection (i), by striking "including sections of title 11, United States Code, incorporated by reference, nothing in this section" and insert "nothing in this title";

(4) section 306 of this Act is amended—

(A) in subsection (c), by inserting ", to the extent permitted by the Constitution of the United States" after "entity";

(B) in subsection (d)(2), by inserting "or subsection (e) of this section," before "or by";

(C) in subsection (e)—

(i) in paragraph (2), by striking "in which a case under this title has venue pursuant to section 307 of this title" and inserting "embracing the district in which the case is"; and

(ii) in paragraph (3)(B), by striking "direct"; and

(D) in subsection (f), by inserting "or appropriate" after "necessary";

(5) section 307 of this Act is amended by striking subsection (b);

(6) section 308(b) of this Act is amended by inserting "of that circuit" before "to conduct the case.";

(7) section 309 of this Act is amended—

(A) by inserting "(a) IN GENERAL.—" before "Nothing in this title"; and

(B) by adding at the end the following:

"(b) REVIEW.—Any decision to abstain or not to abstain is not reviewable by appeal or otherwise by the court of appeals under section 1291 or 1292 of title 28, United States Code, or section 306(e) of this title, or by the Supreme Court of the United States under section 1254 of title 28, United States Code. This subsection shall not be construed to limit the applicability of the stay provided for by section 362 of title 11, United States Code, (as made applicable to cases under this title under section 301(a)) as such section applies to an action affecting the property of the estate in bankruptcy.";

(8) section 310 of this Act is amended by inserting ", as if it were a case under chapter 9 of title 11, United States Code, or a civil proceeding arising under such chapter or arising in or related to a case under such chapter" before the period at the end;

(9) section 312(b) of this Act is amended by inserting "or before" after "plan of adjustment at";

(10) section 314 of this Act is amended—

(A) in subsection (b)(6)—

(i) by striking "the non-bankruptcy laws and" and inserting "otherwise applicable laws and the"; and

(ii) by inserting "the recovery that" after "greater recovery for the creditors than"; and

(B) in subsection (c)(1), by striking "with respect to" and inserting "in";

(11) section 316(c)(3) of this Act is amended by striking "this chapter" and inserting "this title";

(12) section 405 of this Act is amended—

(A) in subsection (a)(1), in the matter preceding subparagraph (A), by striking "any other source of law" and inserting "any other source";

(B) in subsection (b)—

(i) in paragraph (1), by striking "that arose before the enactment of this Act";

(ii) by striking paragraph (5);

(iii) by redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively; and

(iv) in paragraph (5), as so redesignated, by striking "that arose before the enactment of this Act";

(C) in subsection (j)(3)—

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

"(A) the financial condition of, or the commencement of a restructuring, insolvency, bankruptcy, or other proceeding (or a similar or analogous process) by, the Government of Puerto Rico, including a default or an event of default thereunder;"; and

(ii) in subparagraph (C), by striking "paragraph (1)(B)" and inserting "paragraph (1)"; and

(D) in subsection (l), by striking "when such payments become due during the length of the stay" and inserting "as and when such payments become due during the duration of the stay"; and

(13) section 601 of this Act is amended—

(A) in subsection (a)(11)(B), by striking "current accreted value" and all that follows and inserting "accreted value of such Capital Appreciation Bond or a Convertible Capital Appreciation Bond, as of the date of the determination and as applicable.";

(B) in subsection (c), by striking "above";

(C) in subsection (d)(3)(B), by inserting "applicable to such Bonds" before the period at the end;

(D) in subsection (e), by striking "the procedures under";

(E) in subsection (f)—

(i) in paragraph (1), by inserting "and" after "Issuer's existing debts,"; and

(ii) in paragraph (3), by inserting "by the Oversight Board" after "has been certified";

(F) in subsection (i), by inserting "with respect to not less than 1 of" before "the Issuer's Outstanding Bonds.";

(G) in subsection (j), by inserting "such" before "Insured Bonds for purposes of directing remedies";

(H) in subsection (l)—

(i) by striking "consent of holder" and inserting "consent of holders"; and

(ii) by striking "a written action" and inserting "an action";

(I) in subsection (m)—

(i) in paragraph (1)—

(I) in subparagraph (B), by striking clause (iii) and inserting the following:

"(iii) any conditions on the effectiveness of the Qualifying Modification have been satisfied or, except for such conditions that have been identified in the Qualifying Modification as being non-waivable, in the Administrative Supervisor's sole discretion, satisfaction of such conditions has been waived;"; and

(II) in subparagraph (C)(ii), by striking "the lesser of" and all that follows and inserting "the lesser of the Outstanding Principal amount of the Bond Claim on the effective date of the Qualifying Modification or of the value of the collateral securing such Bond Claim; and"; and

(ii) in paragraph (2), by striking "should not be subject" and inserting "may not be subject"; and

(J) in subsection (n)(1), by inserting "or related to" before "this section.".

SA 4930. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 2328, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the first word and insert the following:

(g) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(g)) is amended by striking paragraphs (2) through (4) and inserting the following:

"(2) In lieu of the rate prescribed by subsection (a)(1), the Governor of Puerto Rico, subject to the approval of the Financial Oversight and Management Board established pursuant to section 101 of the Puerto Rico Oversight, Management, and Economic Stability Act, may designate a time period not to exceed four years during which employers in Puerto Rico may pay employees who are initially employed after the date of enactment of such Act a wage which is not less than the wage described in paragraph (1). Notwithstanding the time period designated, such wage shall not continue in effect after such Board terminates in accordance with section 209 of such Act.

"(3) No employer may take any action to displace employees (including partial displacements such as reduction in hours, wages, or employment benefits) for purposes of hiring individuals at the wage authorized in paragraph (1) or (2).

"(4) Any employer who violates this subsection shall be considered to have violated section 15(a)(3) (29 U.S.C. 215(a)(3)).

"(5) This subsection shall only apply to an employee who has not attained the age of 20 years, except in the case of the wage applicable in Puerto Rico, 25 years, until such time as the Board described in paragraph (2) terminates in accordance with section 209 of the Act described in such paragraph.".

SA 4931. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 2328, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the first word and insert the following:

(a) SPECIAL RULE.—The regulations proposed by the Secretary of Labor relating to exemptions regarding the rates of pay for executive, administrative, professional, outside sales, and computer employees, and published in a notice in the Federal Register on July 6, 2015, and any final regulations issued related to such notice, shall have no force or effect in the Commonwealth of Puerto Rico until—

(1) the Comptroller General of the United States completes the assessment and transmits the report required under subsection (b); and

(2) the Secretary of Labor taking into account the assessment and report of the Comptroller General, provides a written determination to Congress that applying such rule to Puerto Rico would not have a negative impact on the economy of Puerto Rico.

(b) ASSESSMENT and REPORT.—Not later than two years after the date of enactment of this Act, the Comptroller General shall examine the economic conditions in Puerto Rico and shall transmit a report to Congress assessing the impact of applying the regulations described in subsection (a) to Puerto Rico, taking into consideration regional, metropolitan, and non-metropolitan salary and cost-of-living differences.

SA 4932. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2328, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 405 and insert the following:

SEC. 405. AUTOMATIC STAY UPON ENACTMENT.

(a) DEFINITIONS.—In this section:

(1) LIABILITY.—The term "Liability" means a bond, loan, letter of credit, other borrowing title, obligation of insurance, or other financial indebtedness for borrowed money, including rights, entitlements, or obligations whether such rights, entitlements, or obligations arise from contract, statute, or any other source of law related to such a

bond, loan, letter of credit, other borrowing title, obligation of insurance, or other financial indebtedness in physical or dematerialized form, of which—

(A) the issuer, obligor, or guarantor is the Government of Puerto Rico; and

(B) the date of issuance or incurrence precedes the date of enactment of this Act.

(2) LIABILITY CLAIM.—The term ''Liability Claim'' means, as it relates to a Liability—

(A) right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or

(B) right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

(b) IN GENERAL.—Except as provided in subsection (c) of this section, the establishment of an Oversight Board for Puerto Rico (i.e., the enactment of this Act) in accordance with section 101 operates with respect to a Liability as a stay, applicable to all entities (as such term is defined in section 101 of title 11, United States Code), of—

(1) the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the Government of Puerto Rico that was or could have been commenced before the enactment of this Act, or to recover a Liability Claim against the Government of Puerto Rico that arose before the enactment of this Act;

(2) the enforcement, against the Government of Puerto Rico or against property of the Government of Puerto Rico, of a judgment obtained before the enactment of this Act;

(3) any act to obtain possession of property of the Government of Puerto Rico or of property from the Government of Puerto Rico or to exercise control over property of the Government of Puerto Rico;

(4) any act to create, perfect, or enforce any lien against property of the Government of Puerto Rico;

(5) any act to create, perfect, or enforce against property of the Government of Puerto Rico any lien to the extent that such lien secures a Liability Claim that arose before the enactment of this Act;

(6) any act to collect, assess, or recover a Liability Claim against the Government of Puerto Rico that arose before the enactment of this Act; and

(7) the setoff of any debt owing to the Government of Puerto Rico that arose before the enactment of this Act against any Liability Claim against the Government of Puerto Rico.

(c) STAY NOT OPERABLE.—The establishment of an Oversight Board for Puerto Rico in accordance with section 101 does not operate as a stay—

(1) solely under subsection (b)(1) of this section, of the continuation of, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the Government of Puerto Rico that was commenced on or before December 18, 2015; or

(2) of the commencement or continuation of an action or proceeding by a governmental unit to enforce such governmental unit's or organization's police and regulatory power, including the enforcement of a judgment other than a money judgment, obtained in an action or proceeding by the governmental unit to enforce such governmental unit's or organization's police or regulatory power.; or

(3) to enforce a claim for interest on a Bond.

(d) CONTINUATION OF STAY.—Except as provided in subsections (e), (f), and (g) the stay under subsection (b) continues until the earlier of—

(1) the later of—

(A) the later of—

(i) February 15, 2017; or (ii) six months after the establishment of an Oversight Board for Puerto Rico as established by section 101(b);

(B) the date that is 75 days after the date in subparagraph (A) if the Oversight Board delivers a certification to the Governor that, in the Oversight Board's sole discretion, an additional 75 days are needed to seek to complete a voluntary process under title VI of this Act with respect to the government of the Commonwealth of Puerto Rico or any of its territorial instrumentalities; or

(C) the date that is 60 days after the date in subparagraph (A) if the district court to which an application has been submitted under subparagraph 601(m)(1)(D) of this Act determines, in the exercise of the court's equitable powers, that an additional 60 days are needed to complete a voluntary process under title VI of this Act with respect to the government of the Commonwealth of Puerto Rico or any of its territorial instrumentalities; or

(2) with respect to the government of the Commonwealth of Puerto Rico or any of its territorial instrumentalities, the date on which a case is filed by or on behalf of the government of the Commonwealth of Puerto Rico or any of its territorial instrumentalities, as applicable, under title III.

(e) JURISDICTION, RELIEF FROM STAY.—

(1) The United States District Court for the District of Puerto Rico shall have original and exclusive jurisdiction of any civil actions arising under or related to this section.

(2) On motion of or action filed by a party in interest and after notice and a hearing, the United States District Court for the District of Puerto Rico, for cause shown, shall grant relief from the stay provided under subsection (b) of this section.

(f) TERMINATION OF STAY; HEARING.—Forty-five days after a request under subsection (e)(2) for relief from the stay of any act against property of the Government of Puerto Rico under subsection (b), such stay is terminated with respect to the party in interest making such request, unless the court, after notice and a hearing, orders such stay continued in effect pending the conclusion of, or as a result of, a final hearing and determination under subsection (e)(2). A hearing under this subsection may be a preliminary hearing, or may be consolidated with the final hearing under subsection (e)(2). The court shall order such stay continued in effect pending the conclusion of the final hearing under subsection (e)(2) if there is a reasonable likelihood that the party opposing relief from such stay will prevail at the conclusion of such final hearing. If the hearing under this subsection is a preliminary hearing, then such final hearing shall be concluded not later than thirty days after the conclusion of such preliminary hearing, unless the thirty-day period is extended with the consent of the parties in interest or for a specific time which the court finds is required by compelling circumstances.

(g) RELIEF TO PREVENT IRREPARABLE DAMAGE.—Upon request of a party in interest, the court, with or without a hearing, shall grant such relief from the stay provided under subsection (b) as is necessary to prevent irreparable damage to the interest of an entity in property, if such interest will suffer such damage before there is an opportunity for notice and a hearing under subsection (e) or (f).

(h) ACT IN VIOLATION OF STAY IS VOID.—Any order, judgment, or decree entered in violation of this section and any act taken in violation of this section is void, and shall have no force or effect, and any person found to violate this section may be liable for damages, costs, and attorneys' fees incurred in defending any action taken in violation of this section, and the Oversight Board or the Government of Puerto Rico may seek an order from the court enforcing the provisions of this section.

(i) GOVERNMENT OF PUERTO RICO.—For purposes of this section, the term ''Government of Puerto Rico'', in addition to the definition set forth in section 5(11) of this Act, shall include—

(1) the individuals, including elected and appointed officials, directors, officers of and employees acting in their official capacity on behalf of the Government of Puerto Rico; and

(2) the Oversight Board, including the directors and officers of and employees acting in their official capacity on behalf of the Oversight Board.

(j) NO DEFAULT UNDER EXISTING CONTRACTS.—

(1) Notwithstanding any contractual provision or applicable law to the contrary and so long as a stay under this section is in effect, the holder of a Liability Claim or any other claim (as such term is defined in section 101 of title 11, United States Code) may not exercise or continue to exercise any remedy under a contract or applicable law in respect to the Government of Puerto Rico or any of its property—

(A) that is conditioned upon the financial condition of, or the commencement of a restructuring, insolvency, bankruptcy, or other proceeding (or a similar or analogous process) by, the Government of Puerto Rico, including a default or an event of default thereunder; or

(B) with respect to Liability Claims—

(i) for the non-payment of principal or interest (other than to enforce a claim for interest on a Bond); or

(ii) for the breach of any condition or covenant.

(2) The term ''remedy'' as used in paragraph (1) shall be interpreted broadly, and shall include any right existing in law or contract, including any right to—

(A) setoff;

(B) apply or appropriate funds;

(C) seek the appointment of a custodian (as such term is defined in section 101(11) of title 11, United States Code);

(D) seek to raise rates; or

(E) exercise control over property of the Government of Puerto Rico.

(3) Notwithstanding any contractual provision or applicable law to the contrary and so long as a stay under this section is in effect, a contract to which the Government of Puerto Rico is a party may not be terminated or modified, and any right or obligation under such contract may not be terminated or modified, solely because of a provision in such contract is conditioned on—

(A) the insolvency or financial condition of the Government of Puerto Rico at any time prior to the enactment of this Act;

(B) the adoption of a resolution or establishment of an Oversight Board pursuant to section 101 of this Act; or

(C) a default under a separate contract that is due to, triggered by, or a result of the occurrence of the events or matters in paragraph (1)(B).

(4) Notwithstanding any contractual provision to the contrary and so long as a stay under this section is in effect, a counterparty to a contract with the Government of Puerto Rico for the provision of goods and services shall, unless the Government of Puerto Rico agrees to the contrary

in writing, continue to perform all obligations under, and comply with the terms of, such contract, provided that the Government of Puerto Rico is not in default under such contract other than as a result of a condition specified in paragraph (3).

(k) EFFECT.—This section does not discharge an obligation of the Government of Puerto Rico or release, invalidate, or impair any security interest or lien securing such obligation. This section does not impair or affect the implementation of any restructuring support agreement executed by the Government of Puerto Rico to be implemented pursuant to Puerto Rico law specifically enacted for that purpose prior to the enactment of this Act or the obligation of the Government of Puerto Rico to proceed in good faith as set forth in any such agreement.

(l) PAYMENTS ON LIABILITIES.—Nothing in this section shall be construed to prohibit the Government of Puerto Rico from making any payment on any Liability when such payment becomes due during the term of the stay, and to the extent the Oversight Board, in its sole discretion, determines it is feasible, the Government of Puerto Rico shall make interest payments on outstanding indebtedness when such payments become due during the length of the stay.

(m) FINDINGS.—Congress finds the following:

(1) A combination of severe economic decline, and, at times, accumulated operating deficits, lack of financial transparency, management inefficiencies, and excessive borrowing has created a fiscal emergency in Puerto Rico.

(2) As a result of its fiscal emergency, the Government of Puerto Rico has been unable to provide its citizens with effective services.

(3) The current fiscal emergency has also affected the long-term economic stability of Puerto Rico by contributing to the accelerated outmigration of residents and businesses.

(4) A comprehensive approach to fiscal, management, and structural problems and adjustments that exempts no part of the Government of Puerto Rico is necessary, involving independent oversight and a Federal statutory authority for the Government of Puerto Rico to restructure debts in a fair and orderly process.

(5) ADDITIONALLY, AN IMMEDIATE.—but temporary—stay is essential to stabilize the region for the purposes of resolving this territorial crisis.

(A) The stay advances the best interests common to all stakeholders, including but not limited to a functioning independent Oversight Board created pursuant to this Act to determine whether to appear or intervene on behalf of the Government of Puerto Rico in any litigation that may have been commenced prior to the effectiveness or upon expiration of the stay.

(B) The stay is limited in nature and narrowly tailored to achieve the purposes of this Act, including to ensure all creditors have a fair opportunity to consensually renegotiate terms of repayment based on accurate financial information that is reviewed by an independent authority or, at a minimum, receive a recovery from the Government of Puerto Rico equal to their best possible outcome absent the provisions of this Act.

(6) Finally, the ability of the Government of Puerto Rico to obtain funds from capital markets in the future will be severely diminished without congressional action to restore its financial accountability and stability.

(n) PURPOSES.—The purposes of this section are to—

(1) provide the Government of Puerto Rico with the resources and the tools it needs to address an immediate existing and imminent crisis;

(2) allow the Government of Puerto Rico a limited period of time during which it can focus its resources on negotiating a voluntary resolution with its creditors instead of defending numerous, costly creditor lawsuits;

(3) provide an oversight mechanism to assist the Government of Puerto Rico in reforming its fiscal governance and support the implementation of potential debt restructuring;

(4) make available a Federal restructuring authority, if necessary, to allow for an orderly adjustment of all of the Government of Puerto Rico's liabilities; and

(5) benefit the lives of 3.5 million American citizens living in Puerto Rico by encouraging the Government of Puerto Rico to resolve its longstanding fiscal governance issues and return to economic growth.

(o) VOTING ON VOLUNTARY AGREEMENTS NOT STAYED.—Notwithstanding any provision in this section to the contrary, nothing in this section shall prevent the holder of a Liability Claim from voting on or consenting to a proposed modification of such Liability Claim under title VI of this Act.

SA 4933. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2328, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 405 and insert the following:

SEC. 405. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) A combination of severe economic decline, and, at times, accumulated operating deficits, lack of financial transparency, management inefficiencies, and excessive borrowing has created a fiscal emergency in Puerto Rico.

(2) As a result of its fiscal emergency, the Government of Puerto Rico has been unable to provide its citizens with effective services.

(3) The current fiscal emergency has also affected the long-term economic stability of Puerto Rico by contributing to the accelerated outmigration of residents and businesses.

(4) A comprehensive approach to fiscal, management, and structural problems and adjustments that exempts no part of the Government of Puerto Rico is necessary, involving independent oversight and a Federal statutory authority for the Government of Puerto Rico to restructure debts in a fair and orderly process.

(5) Finally, the ability of the Government of Puerto Rico to obtain funds from capital markets in the future will be severely diminished without congressional action to restore its financial accountability and stability.

(b) PURPOSES.—The purposes of this Act are to—

(1) provide the Government of Puerto Rico with the resources and the tools it needs to address an immediate existing and imminent crisis;

(2) incentivize the Government of Puerto Rico to focus its resources on negotiating a voluntary resolution with its creditors;

(3) provide an oversight mechanism to assist the Government of Puerto Rico in reforming its fiscal governance and support the implementation of potential debt restructuring;

(4) make available a Federal restructuring authority, if necessary, to allow for an orderly adjustment of all of the Government of Puerto Rico's liabilities; and

(5) benefit the lives of 3.5 million American citizens living in Puerto Rico by encouraging the Government of Puerto Rico to resolve its longstanding fiscal governance issues and return to economic growth.

SA 4934. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2328, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

In section 104(e), add at the end the following: ''Nothing in this Act provides immunity to the Oversight Board, members of the Oversight Board, or employees of the Oversight Board from any anti-corruption laws.''.

SA 4935. Mr. MCCONNELL (for Mr. ROBERTS) proposed an amendment to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. NATIONAL BIOENGINEERED FOOD DISCLOSURE STANDARD.

The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following:

''Subtitle E—National Bioengineered Food Disclosure Standard

''SEC. 291. DEFINITIONS.

''In this subtitle:

''(1) BIOENGINEERING.—The term 'bioengineering', and any similar term, as determined by the Secretary, with respect to a food, refers to a food—

''(A) that contains genetic material that has been modified through in vitro recombinant deoxyribonucleic acid (DNA) techniques; and

''(B) for which the modification could not otherwise be obtained through conventional breeding or found in nature.

''(2) FOOD.—The term 'food' means a food (as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)) that is intended for human consumption.

''(3) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture.

''SEC. 292. APPLICABILITY.

''(a) IN GENERAL.—This subtitle shall apply to any claim in a disclosure that a food bears that indicates that the food is a bioengineered food.

''(b) APPLICATION OF DEFINITION.—The definition of the term 'bioengineering' under section 291 shall not affect any other definition, program, rule, or regulation of the Federal Government.

''(c) APPLICATION TO FOODS.—This subtitle shall apply only to a food subject to—

''(1) the labeling requirements under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); or

''(2) the labeling requirements under the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), or the Egg Products Inspection Act (21 U.S.C. 1031 et seq.) only if—

''(A) the most predominant ingredient of the food would independently be subject to the labeling requirements under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); or

''(B)(i) the most predominant ingredient of the food is broth, stock, water, or a similar solution; and

''(ii) the second-most predominant ingredient of the food would independently be subject to the labeling requirements under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

"SEC. 293. ESTABLISHMENT OF NATIONAL BIOENGINEERED FOOD DISCLOSURE STANDARD.

''(a) ESTABLISHMENT OF MANDATORY STANDARD.—Not later than 2 years after the date of enactment of this subtitle, the Secretary shall—

''(1) establish a national mandatory bioengineered food disclosure standard with respect to any bioengineered food and any food that may be bioengineered; and

''(2) establish such requirements and procedures as the Secretary determines necessary to carry out the standard.

''(b) REGULATIONS.—

''(1) IN GENERAL.—A food may bear a disclosure that the food is bioengineered only in accordance with regulations promulgated by the Secretary in accordance with this subtitle.

''(2) REQUIREMENTS.—A regulation promulgated by the Secretary in carrying out this subtitle shall—

''(A) prohibit a food derived from an animal to be considered a bioengineered food solely because the animal consumed feed produced from, containing, or consisting of a bioengineered substance;

''(B) determine the amounts of a bioengineered substance that may be present in food, as appropriate, in order for the food to be a bioengineered food;

''(C) establish a process for requesting and granting a determination by the Secretary regarding other factors and conditions under which a food is considered a bioengineered food;

''(D) in accordance with subsection (d), require that the form of a food disclosure under this section be a text, symbol, or electronic or digital link, but excluding Internet website Uniform Resource Locators not embedded in the link, with the disclosure option to be selected by the food manufacturer;

''(E) provide alternative reasonable disclosure options for food contained in small or very small packages;

''(F) in the case of small food manufacturers, provide—

''(i) an implementation date that is not earlier than 1 year after the implementation date for regulations promulgated in accordance with this section; and

''(ii) on-package disclosure options, in addition to those available under subparagraph (D), to be selected by the small food manufacturer, that consist of—

''(I) a telephone number accompanied by appropriate language to indicate that the phone number provides access to additional information; and

''(II) an Internet website maintained by the small food manufacturer in a manner consistent with subsection (d), as appropriate; and

''(G) exclude—

''(i) food served in a restaurant or similar retail food establishment; and

''(ii) very small food manufacturers.

''(3) SAFETY.—For the purpose of regulations promulgated and food disclosures made pursuant to paragraph (2), a bioengineered food that has successfully completed the premarket Federal regulatory review process shall not be treated as safer than, or not as safe as, a non-bioengineered counterpart of the food solely because the food is bioengineered or produced or developed with the use of bioengineering.

''(c) STUDY OF ELECTRONIC OR DIGITAL LINK DISCLOSURE.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subtitle, the Secretary shall conduct a study to identify potential technological challenges that may impact whether consumers would have access to the bioengineering disclosure through electronic or digital disclosure methods.

''(2) PUBLIC COMMENTS.—In conducting the study under paragraph (1), the Secretary shall solicit and consider comments from the public.

''(3) FACTORS.—The study conducted under paragraph (1) shall consider whether consumer access to the bioengineering disclosure through electronic or digital disclosure methods under this subtitle would be affected by the following factors:

''(A) The availability of wireless Internet or cellular networks.

''(B) The availability of landline telephones in stores.

''(C) Challenges facing small retailers and rural retailers.

''(D) The efforts that retailers and other entities have taken to address potential technology and infrastructure challenges.

''(E) The costs and benefits of installing in retail stores electronic or digital link scanners or other evolving technology that provide bioengineering disclosure information.

''(4) ADDITIONAL DISCLOSURE OPTIONS.—If the Secretary determines in the study conducted under paragraph (1) that consumers, while shopping, would not have sufficient access to the bioengineering disclosure through electronic or digital disclosure methods, the Secretary, after consultation with food retailers and manufacturers, shall provide additional and comparable options to access the bioengineering disclosure.

''(d) DISCLOSURE.—In promulgating regulations under this section, the Secretary shall ensure that—

''(1) on-package language accompanies—

''(A) the electronic or digital link disclosure, indicating that the electronic or digital link will provide access to an Internet website or other landing page by stating only 'Scan here for more food information', or equivalent language that only reflects technological changes; or

''(B) any telephone number disclosure, indicating that the telephone number will provide access to additional information by stating only 'Call for more food information.';

''(2) the electronic or digital link will provide access to the bioengineering disclosure located, in a consistent and conspicuous manner, on the first product information page that appears for the product on a mobile device, Internet website, or other landing page, which shall exclude marketing and promotional information;

''(3)(A) the electronic or digital link disclosure may not collect, analyze, or sell any personally identifiable information about consumers or the devices of consumers; but

''(B) if information described in subparagraph (A) must be collected to carry out the purposes of this subtitle, that information shall be deleted immediately and not used for any other purpose;

''(4) the electronic or digital link disclosure also includes a telephone number that provides access to the bioengineering disclosure; and

''(5) the electronic or digital link disclosure is of sufficient size to be easily and effectively scanned or read by a digital device.

''(e) STATE FOOD LABELING STANDARDS.—Notwithstanding section 295, no State or political subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any food in interstate commerce any requirement relating to the labeling or disclosure of whether a food is bioengineered or was developed or produced using bioengineering for a food that is the subject of the national bioengineered food disclosure standard under this section that is not identical to the mandatory disclosure requirement under that standard.

''(f) CONSISTENCY WITH CERTAIN LAWS.—The Secretary shall consider establishing consistency between—

''(1) the national bioengineered food disclosure standard established under this section; and

''(2) the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) and any rules or regulations implementing that Act.

''(g) ENFORCEMENT.—

''(1) PROHIBITED ACT.—It shall be a prohibited act for a person to knowingly fail to make a disclosure as required under this section.

''(2) RECORDKEEPING.—Each person subject to the mandatory disclosure requirement under this section shall maintain, and make available to the Secretary, on request, such records as the Secretary determines to be customary or reasonable in the food industry, by regulation, to establish compliance with this section.

''(3) EXAMINATION AND AUDIT.—

''(A) IN GENERAL.—The Secretary may conduct an examination, audit, or similar activity with respect to any records required under paragraph (2).

''(B) NOTICE AND HEARING.—A person subject to an examination, audit, or similar activity under subparagraph (A) shall be provided notice and opportunity for a hearing on the results of any examination, audit, or similar activity.

''(C) AUDIT RESULTS.—After the notice and opportunity for a hearing under subparagraph (B), the Secretary shall make public the summary of any examination, audit, or similar activity under subparagraph (A).

''(4) RECALL AUTHORITY.—The Secretary shall have no authority to recall any food subject to this subtitle on the basis of whether the food bears a disclosure that the food is bioengineered.

"SEC. 294. SAVINGS PROVISIONS.

''(a) TRADE.—This subtitle shall be applied in a manner consistent with United States obligations under international agreements.

''(b) OTHER AUTHORITIES.—Nothing in this subtitle—

''(1) affects the authority of the Secretary of Health and Human Services or creates any rights or obligations for any person under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); or

''(2) affects the authority of the Secretary of the Treasury or creates any rights or obligations for any person under the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.).

''(c) OTHER.—A food may not be considered to be 'not bioengineered', 'non-GMO', or any other similar claim describing the absence of bioengineering in the food solely because the food is not required to bear a disclosure that the food is bioengineered under this subtitle.

"Subtitle F—Labeling of Certain Food

"SEC. 295. FEDERAL PREEMPTION.

''(a) DEFINITION OF FOOD.—In this subtitle, the term 'food' has the meaning given the term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

''(b) FEDERAL PREEMPTION.—No State or a political subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any food or seed in interstate commerce any requirement relating to the labeling of whether a food (including food served in a restaurant or similar establishment) or seed is genetically engineered (which shall include such other similar terms as determined by the Secretary of Agriculture) or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed or produced using genetic engineering.

''SEC. 296. EXCLUSION FROM FEDERAL PREEMPTION.

''Nothing in this subtitle, subtitle E, or any regulation, rule, or requirement promulgated in accordance with this subtitle or subtitle E shall be construed to preempt any remedy created by a State or Federal statutory or common law right.''.

SEC. 2. ORGANICALLY PRODUCED FOOD.

In the case of a food certified under the national organic program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.), the certification shall be considered sufficient to make a claim regarding the absence of bioengineering in the food, such as ''not bioengineered'', ''non-GMO'', or another similar claim.

SA 4936. Mr. MCCONNELL proposed an amendment to amendment SA 4935 proposed by Mr. MCCONNELL (for Mr. ROBERTS) to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; as follows:

At the end, add the following:

This Act shall take effect 1 day after the date of enactment.

SA 4937. Mr. MCCONNELL proposed an amendment to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. NATIONAL BIOENGINEERED FOOD DISCLOSURE STANDARD.

The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following:

''Subtitle E—National Bioengineered Food Disclosure Standard

''SEC. 291. DEFINITIONS.

''In this subtitle:

''(1) BIOENGINEERING.—The term 'bioengineering', and any similar term, as determined by the Secretary, with respect to a food, refers to a food—

''(A) that contains genetic material that has been modified through in vitro recombinant deoxyribonucleic acid (DNA) techniques; and

''(B) for which the modification could not otherwise be obtained through conventional breeding or found in nature.

''(2) FOOD.—The term 'food' means a food (as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)) that is intended for human consumption.

''(3) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture.

''SEC. 292. APPLICABILITY.

''(a) IN GENERAL.—This subtitle shall apply to any claim in a disclosure that a food bears that indicates that the food is a bioengineered food.

''(b) APPLICATION OF DEFINITION.—The definition of the term 'bioengineering' under section 291 shall not affect any other definition, program, rule, or regulation of the Federal Government.

''(c) APPLICATION TO FOODS.—This subtitle shall apply only to a food subject to—

''(1) the labeling requirements under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); or

''(2) the labeling requirements under the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), or the Egg Products Inspection Act (21 U.S.C. 1031 et seq.) only if—

''(A) the most predominant ingredient of the food would independently be subject to the labeling requirements under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); or

''(B)(i) the most predominant ingredient of the food is broth, stock, water, or a similar solution; and

''(ii) the second-most predominant ingredient of the food would independently be subject to the labeling requirements under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

''SEC. 293. ESTABLISHMENT OF NATIONAL BIOENGINEERED FOOD DISCLOSURE STANDARD.

''(a) ESTABLISHMENT OF MANDATORY STANDARD.—Not later than 2 years after the date of enactment of this subtitle, the Secretary shall—

''(1) establish a national mandatory bioengineered food disclosure standard with respect to any bioengineered food and any food that may be bioengineered; and

''(2) establish such requirements and procedures as the Secretary determines necessary to carry out the standard.

''(b) REGULATIONS.—

''(1) IN GENERAL.—A food may bear a disclosure that the food is bioengineered only in accordance with regulations promulgated by the Secretary in accordance with this subtitle.

''(2) REQUIREMENTS.—A regulation promulgated by the Secretary in carrying out this subtitle shall—

''(A) prohibit a food derived from an animal to be considered a bioengineered food solely because the animal consumed feed produced from, containing, or consisting of a bioengineered substance;

''(B) determine the amounts of a bioengineered substance that may be present in food, as appropriate, in order for the food to be a bioengineered food;

''(C) establish a process for requesting and granting a determination by the Secretary regarding other factors and conditions under which a food is considered a bioengineered food;

''(D) in accordance with subsection (d), require that the form of a food disclosure under this section be a text, symbol, or electronic or digital link, but excluding Internet website Uniform Resource Locators not embedded in the link, with the disclosure option to be selected by the food manufacturer;

''(E) provide alternative reasonable disclosure options for food contained in small or very small packages;

''(F) in the case of small food manufacturers, provide—

''(i) an implementation date that is not earlier than 1 year after the implementation date for regulations promulgated in accordance with this section; and

''(ii) on-package disclosure options, in addition to those available under subparagraph (D), to be selected by the small food manufacturer, that consist of—

''(I) a telephone number accompanied by appropriate language to indicate that the phone number provides access to additional information; and

''(II) an Internet website maintained by the small food manufacturer in a manner consistent with subsection (d), as appropriate; and

''(G) exclude—

''(i) food served in a restaurant or similar retail food establishment; and

''(ii) very small food manufacturers.

''(3) SAFETY.—For the purpose of regulations promulgated and food disclosures made pursuant to paragraph (2), a bioengineered food that has successfully completed the premarket Federal regulatory review process shall not be treated as safer than, or not as safe as, a non-bioengineered counterpart of the food solely because the food is bioengineered or produced or developed with the use of bioengineering.

''(c) STUDY OF ELECTRONIC OR DIGITAL LINK DISCLOSURE.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subtitle, the Secretary shall conduct a study to identify potential technological challenges that may impact whether consumers would have access to the bioengineering disclosure through electronic or digital disclosure methods.

''(2) PUBLIC COMMENTS.—In conducting the study under paragraph (1), the Secretary shall solicit and consider comments from the public.

''(3) FACTORS.—The study conducted under paragraph (1) shall consider whether consumer access to the bioengineering disclosure through electronic or digital disclosure methods under this subtitle would be affected by the following factors:

''(A) The availability of wireless Internet or cellular networks.

''(B) The availability of landline telephones in stores.

''(C) Challenges facing small retailers and rural retailers.

''(D) The efforts that retailers and other entities have taken to address potential technology and infrastructure challenges.

''(E) The costs and benefits of installing in retail stores electronic or digital link scanners or other evolving technology that provide bioengineering disclosure information.

''(4) ADDITIONAL DISCLOSURE OPTIONS.—If the Secretary determines in the study conducted under paragraph (1) that consumers, while shopping, would not have sufficient access to the bioengineering disclosure through electronic or digital disclosure methods, the Secretary, after consultation with food retailers and manufacturers, shall provide additional and comparable options to access the bioengineering disclosure.

''(d) DISCLOSURE.—In promulgating regulations under this section, the Secretary shall ensure that—

''(1) on-package language accompanies—

''(A) the electronic or digital link disclosure, indicating that the electronic or digital link will provide access to an Internet website or other landing page by stating only 'Scan here for more food information', or equivalent language that only reflects technological changes; or

''(B) any telephone number disclosure, indicating that the telephone number will provide access to additional information by stating only 'Call for more food information.';

''(2) the electronic or digital link will provide access to the bioengineering disclosure located, in a consistent and conspicuous manner, on the first product information page that appears for the product on a mobile device, Internet website, or other landing page, which shall exclude marketing and promotional information;

''(3)(A) the electronic or digital link disclosure may not collect, analyze, or sell any personally identifiable information about consumers or the devices of consumers; but

''(B) if information described in subparagraph (A) must be collected to carry out the purposes of this subtitle, that information shall be deleted immediately and not used for any other purpose;

''(4) the electronic or digital link disclosure also includes a telephone number that provides access to the bioengineering disclosure; and

''(5) the electronic or digital link disclosure is of sufficient size to be easily and effectively scanned or read by a digital device.

''(e) STATE FOOD LABELING STANDARDS.—Notwithstanding section 295, no State or political subdivision of a State may directly or

indirectly establish under any authority or continue in effect as to any food in interstate commerce any requirement relating to the labeling or disclosure of whether a food is bioengineered or was developed or produced using bioengineering for a food that is the subject of the national bioengineered food disclosure standard under this section that is not identical to the mandatory disclosure requirement under that standard.

''(f) CONSISTENCY WITH CERTAIN LAWS.—The Secretary shall consider establishing consistency between—

''(1) the national bioengineered food disclosure standard established under this section; and

''(2) the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) and any rules or regulations implementing that Act.

''(g) ENFORCEMENT.—

''(1) PROHIBITED ACT.—It shall be a prohibited act for a person to knowingly fail to make a disclosure as required under this section.

''(2) RECORDKEEPING.—Each person subject to the mandatory disclosure requirement under this section shall maintain, and make available to the Secretary, on request, such records as the Secretary determines to be customary or reasonable in the food industry, by regulation, to establish compliance with this section.

''(3) EXAMINATION AND AUDIT.—

''(A) IN GENERAL.—The Secretary may conduct an examination, audit, or similar activity with respect to any records required under paragraph (2).

''(B) NOTICE AND HEARING.—A person subject to an examination, audit, or similar activity under subparagraph (A) shall be provided notice and opportunity for a hearing on the results of any examination, audit, or similar activity.

''(C) AUDIT RESULTS.—After the notice and opportunity for a hearing under subparagraph (B), the Secretary shall make public the summary of any examination, audit, or similar activity under subparagraph (A).

''(4) RECALL AUTHORITY.—The Secretary shall have no authority to recall any food subject to this subtitle on the basis of whether the food bears a disclosure that the food is bioengineered.

''SEC. 294. SAVINGS PROVISIONS.

''(a) TRADE.—This subtitle shall be applied in a manner consistent with United States obligations under international agreements.

''(b) OTHER AUTHORITIES.—Nothing in this subtitle—

''(1) affects the authority of the Secretary of Health and Human Services or creates any rights or obligations for any person under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); or

''(2) affects the authority of the Secretary of the Treasury or creates any rights or obligations for any person under the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.).

''(c) OTHER.—A food may not be considered to be 'not bioengineered', 'non-GMO', or any other similar claim describing the absence of bioengineering in the food solely because the food is not required to bear a disclosure that the food is bioengineered under this subtitle.

''Subtitle F—Labeling of Certain Food

''SEC. 295. FEDERAL PREEMPTION.

''(a) DEFINITION OF FOOD.—In this subtitle, the term 'food' has the meaning given the term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

''(b) FEDERAL PREEMPTION.—No State or a political subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any food or seed in interstate commerce any requirement relating to the labeling of whether a food (including food served in a restaurant or similar establishment) or seed is genetically engineered (which shall include such other similar terms as determined by the Secretary of Agriculture) or was developed or produced using genetic engineering, including any requirement for claims that a food or seed is or contains an ingredient that was developed or produced using genetic engineering.

''SEC. 296. EXCLUSION FROM FEDERAL PREEMPTION.

''Nothing in this subtitle, subtitle E, or any regulation, rule, or requirement promulgated in accordance with this subtitle or subtitle E shall be construed to preempt any remedy created by a State or Federal statutory or common law right.''.

SEC. 2. ORGANICALLY PRODUCED FOOD.

In the case of a food certified under the national organic program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.), the certification shall be considered sufficient to make a claim regarding the absence of bioengineering in the food, such as ''not bioengineered'', ''non-GMO'', or another similar claim.

This Act shall take effect 2 days after the date of enactment.

SA 4938. Mr. MCCONNELL proposed an amendment to amendment SA 4937 proposed by Mr. MCCONNELL to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; as follows:

At the end, add the following:

This Act shall take effect 3 days after the date of enactment.

SA 4939. Mr. MCCONNELL proposed an amendment to amendment SA 4938 proposed by Mr. MCCONNELL to the amendment SA 4937 proposed by Mr. MCCONNELL to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; as follows:

Strike ''3 days'' and insert ''4 days''.

SA 4940. Mrs. FISCHER (for herself, Mr. BOOKER, Mr. NELSON, Mr. THUNE, Mr. SULLIVAN, Ms. CANTWELL, Mr. WICKER, and Mr. SCHATZ) proposed an amendment to the bill S. 2829, to amend and enhance certain maritime programs of the Department of Transportation, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Maritime Administration Authorization and Enhancement Act for Fiscal Year 2017''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—MARITIME ADMINISTRATION AUTHORIZATION

SEC. 101. AUTHORIZATION OF THE MARITIME ADMINISTRATION.

There are authorized to be appropriated to the Department of Transportation for fiscal year 2017, to be available without fiscal year limitation if so provided in appropriations Acts, for programs associated with maintaining the United States merchant marine, the following amounts:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $99,902,000, of which—

(A) $74,851,000 shall be for Academy operations; and

(B) $25,051,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, $29,550,000, of which—

(A) $2,400,000 shall remain available until September 30, 2018, for the Student Incentive Program;

(B) $3,000,000 shall remain available until expended for direct payments to such academies;

(C) $22,000,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels;

(D) $1,800,000 shall remain available until expended for training ship fuel assistance; and

(E) $350,000 shall remain available until expended for expenses to improve the monitoring of the service obligations of graduates.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, $6,000,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, $57,142,000.

(5) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $20,000,000, which shall remain available until expended.

(6) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, $3,000,000, which shall remain available until expended for administrative expenses of the program.

SEC. 102. MARITIME ADMINISTRATION AUTHORIZATION REQUEST.

Section 109 of title 49, United States Code, is amended by adding at the end the following:

''(k) SUBMISSION OF ANNUAL MARITIME ADMINISTRATION AUTHORIZATION REQUEST.—

''(1) IN GENERAL.—Not later than 30 days after the date on which the President submits to Congress a budget for a fiscal year pursuant to section 1105 of title 31, the Maritime Administrator shall submit a Maritime Administration authorization request with respect to such fiscal year to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(2) DEFINED TERM.—In this subsection, the term 'Maritime Administration authorization request' means a proposal for legislation that, with respect to the Maritime Administration for the relevant fiscal year—

''(A) recommends authorizations of appropriations for that fiscal year; and

''(B) addresses any other matter that the Maritime Administrator determines is appropriate for inclusion in a Maritime Administration authorization bill.''.

TITLE II—PREVENTION OF SEXUAL HARASSMENT AND ASSAULT AT THE UNITED STATES MERCHANT MARINE ACADEMY

SEC. 201. ACTIONS TO ADDRESS SEXUAL HARASSMENT AND SEXUAL ASSAULT AT THE UNITED STATES MERCHANT MARINE ACADEMY.

(a) POLICY.—Chapter 513 of title 46, United States Code, is amended by adding at the end the following:

''§ 51318. Policy on sexual harassment and sexual assault

''(a) REQUIRED POLICY.—

''(1) IN GENERAL.—The Secretary of Transportation shall direct the Superintendent of the United States Merchant Marine Academy to prescribe a policy on sexual harassment and sexual assault applicable to the cadets and other personnel of the Academy.

''(2) MATTERS TO BE SPECIFIED IN POLICY.—The policy on sexual harassment and sexual assault prescribed under this subsection shall include—

''(A) a program to promote awareness of the incidence of rape, acquaintance rape, and other sexual offenses of a criminal nature that involve cadets or other Academy personnel;

''(B) procedures that a cadet should follow in the case of an occurrence of sexual harassment or sexual assault, including—

''(i) specifying the person or persons to whom an alleged occurrence of sexual harassment or sexual assault should be reported by a cadet and the options for confidential reporting;

''(ii) specifying any other person whom the victim should contact; and

''(iii) procedures on the preservation of evidence potentially necessary for proof of criminal sexual assault;

''(C) a procedure for disciplinary action in cases of alleged criminal sexual assault involving a cadet or other Academy personnel;

''(D) any other sanction authorized to be imposed in a substantiated case of sexual harassment or sexual assault involving a cadet or other Academy personnel in rape, acquaintance rape, or any other criminal sexual offense, whether forcible or nonforcible; and

''(E) required training on the policy for all cadets and other Academy personnel, including the specific training required for personnel who process allegations of sexual harassment or sexual assault involving Academy personnel.

''(3) AVAILABILITY OF POLICY.—The Secretary shall ensure that the policy developed under this subsection is available to—

''(A) all cadets and employees of the Academy; and

''(B) the public.

''(4) CONSULTATION AND ASSISTANCE.—In developing the policy under this subsection, the Secretary may consult or receive assistance from such Federal, State, local, and national organizations and subject matter experts as the Secretary considers appropriate.

''(b) DEVELOPMENT PROGRAM.—

''(1) IN GENERAL.—The Secretary of Transportation shall ensure that the development program of the United States Merchant Marine Academy includes a section that—

''(A) describes the relationship between honor, respect, and character development and the prevention of sexual harassment and sexual assault at the Academy; and

''(B) includes a brief history of the problem of sexual harassment and sexual assault in the merchant marine, in the Armed Forces, and at the Academy; and

''(C) includes information relating to reporting sexual harassment and sexual assault, victims' rights, and dismissal for offenders.

''(2) TRAINING.—The Superintendent of the Academy shall ensure that all cadets receive the training described in paragraph (1)—

''(A) not later than 7 days after their initial arrival at the Academy; and

''(B) biannually thereafter until they graduate or leave the Academy.

''(c) ANNUAL ASSESSMENT.—

''(1) IN GENERAL.—The Secretary of Transportation, in cooperation with the Superintendent of the Academy, shall conduct an assessment at the Academy during each Academy program year to determine the effectiveness of the policies, procedures, and training of the Academy with respect to sexual harassment and sexual assault involving cadets or other Academy personnel.

''(2) BIENNIAL SURVEY.—For each assessment of the Academy under paragraph (1) during an Academy program year that begins in an odd-numbered calendar year, the Secretary shall conduct a survey of cadets and other Academy personnel—

''(A) to measure—

''(i) the incidence, during that program year, of sexual harassment and sexual assault events, on or off the Academy campus, that have been reported to officials of the Academy; and

''(ii) the incidence, during that program year, of sexual harassment and sexual assault events, on or off the Academy campus, that have not been reported to officials of the Academy; and

''(B) to assess the perceptions of cadets and other Academy personnel on—

''(i) the policies, procedures, and training on sexual harassment and sexual assault involving cadets or Academy personnel;

''(ii) the enforcement of the policies described in clause (i);

''(iii) the incidence of sexual harassment and sexual assault involving cadets or Academy personnel; and

''(iv) any other issues relating to sexual harassment and sexual assault involving cadets or Academy personnel.

''(3) FOCUS GROUPS FOR YEARS WHEN SURVEY NOT REQUIRED.—In any year in which the Secretary of Transportation is not required to conduct the survey described in paragraph (2), the Secretary shall conduct focus groups at the Academy for the purposes of ascertaining information relating to sexual assault and sexual harassment issues at the Academy.

''(d) ANNUAL REPORT.—

''(1) IN GENERAL.—The Superintendent of the Academy shall submit a report to the Secretary of Transportation that provides information about sexual harassment and sexual assault involving cadets or other personnel at the Academy for each Academy program year.

''(2) CONTENTS.—Each report submitted under paragraph (1) shall include, for the Academy program year covered by the report—

''(A) the number of sexual assaults, rapes, and other sexual offenses involving cadets or other Academy personnel that have been reported to Academy officials;

''(B) the number of the reported cases described in subparagraph (A) that have been substantiated;

''(C) the policies, procedures, and training implemented by the Superintendent and the leadership of the Academy in response to sexual harassment and sexual assault involving cadets or other Academy personnel; and

''(D) a plan for the actions that will be taken in the following Academy program year regarding prevention of, and response to, sexual harassment and sexual assault involving cadets or other Academy personnel.

''(3) SURVEY AND FOCUS GROUP RESULTS.—

''(A) SURVEY RESULTS.—Each report under paragraph (1) for an Academy program year that begins in an odd-numbered calendar year shall include the results of the survey conducted in that program year under subsection (c)(2).

''(B) FOCUS GROUP RESULTS.—Each report under paragraph (1) for an Academy program year in which the Secretary of Transportation is not required to conduct the survey described (c)(2) shall include the results of the focus group conducted in that program year under subsection (c)(3).

''(4) REPORTING REQUIREMENT.—

''(A) BY THE SUPERINTENDENT.—For each incident of sexual harassment or sexual assault reported to the Superintendent under this subsection, the Superintendent shall provide the Secretary of Transportation and the Board of Visitors of the Academy with a report that includes—

''(i) the facts surrounding the incident, except for any details that would reveal the identities of the people involved; and

''(ii) the Academy's response to the incident.

''(B) BY THE SECRETARY.—The Secretary shall submit a copy of each report received under subparagraph (A) and the Secretary's comments on the report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 513 of title 46, United States Code, is amended by adding at the end the following:

''51318. Policy on sexual harassment and sexual assault.''.

SEC. 202. SEXUAL ASSAULT RESPONSE COORDINATORS AND SEXUAL ASSAULT VICTIM ADVOCATES.

(a) COORDINATORS AND ADVOCATES.—Chapter 513 of title 46, United States Code, as amended by section 201, is further amended by adding at the end the following:

''§ 51319. Sexual assault response coordinators and sexual assault victim advocates

''(a) SEXUAL ASSAULT RESPONSE COORDINATORS.—The United States Merchant Marine Academy shall employ or contract with at least 1 full-time sexual assault response coordinator who shall reside on or near the Academy. The Secretary of Transportation may assign additional full-time or part-time sexual assault response coordinators at the Academy as may be necessary.

''(b) VOLUNTEER SEXUAL ASSAULT VICTIM ADVOCATES.—

''(1) IN GENERAL.—The Secretary of Transportation, acting through the Superintendent of the United States Merchant Marine Academy, shall designate 1 or more permanent employees who volunteer to serve as advocates for victims of sexual assaults involving—

''(A) cadets of the Academy; or

''(B) individuals who work with or conduct business on behalf of the Academy.

''(2) TRAINING; OTHER DUTIES.—Each victim advocate designated under this subsection shall—

''(A) have or receive training in matters relating to sexual assault and the comprehensive policy developed under section 51318 of title 46, United States Code; and

''(B) serve as a victim advocate voluntarily, in addition to the individual's other duties as an employee of the Academy.

''(3) PRIMARY DUTIES.—While performing the duties of a victim advocate under this subsection, a designated employee shall—

''(A) support victims of sexual assault by informing them of the rights and resources available to them as victims;

''(B) identify additional resources to ensure the safety of victims of sexual assault; and

''(C) connect victims of sexual assault to an Academy sexual assault response coordinator, or full-time or part-time victim advocate, who shall act as a companion in navigating investigative, medical, mental and emotional health, and recovery processes relating to sexual assault.

''(4) COMPANION.—At least 1 victim advocate designated under this subsection, while performing the duties of a victim advocate, shall act as a companion in navigating investigative, medical, mental and emotional health, and recovery processes relating to sexual assault.

''(5) HOTLINE.—The Secretary shall establish a 24-hour hotline through which the victim of a sexual assault can receive victim support services.

''(6) FORMAL RELATIONSHIPS WITH OTHER ENTITIES.—The Secretary may enter into formal relationships with other entities to make available additional victim advocates or to implement paragraphs (3), (4), and (5).

''(7) CONFIDENTIALITY.—Information disclosed by a victim to an advocate designated under this subsection—

''(A) shall be treated by the advocate as confidential; and

''(B) may not be disclosed by the advocate without the consent of the victim.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 513 of title 46, United States Code, is amended by adding at the end the following:

''51319. Sexual assault response coordinators and sexual assault victim advocates.''.

SEC. 203. REPORT FROM THE DEPARTMENT OF TRANSPORTATION INSPECTOR GENERAL.

(a) IN GENERAL.—Not later than March 31, 2018, the Inspector General of the Department of Transportation 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 describes the effectiveness of the sexual harassment and sexual assault prevention and response program at the United States Merchant Marine Academy.

(b) CONTENTS.—The report required under subsection (a) shall—

(1) assess progress toward addressing any outstanding recommendations;

(2) include any recommendations to reduce the number of sexual assaults involving members of the United States Merchant Marine Academy, whether a member is the victim, the alleged assailant, or both;

(3) include any recommendations to improve the response of the Department of Transportation and the United States Merchant Marine Academy to reports of sexual assaults involving members of the Academy, whether a members is the victim, the alleged assailant, or both.

(c) EXPERTISE.—In compiling the report required under this section, the inspection teams acting under the direction of the Inspector General shall—

(1) include at least 1 member with expertise and knowledge of sexual assault prevention and response policies; or

(2) consult with subject matter experts in the prevention of and response to sexual assaults.

SEC. 204. SEXUAL ASSAULT PREVENTION AND RESPONSE WORKING GROUP.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Maritime Administrator shall convene a working group to examine methods to improve the prevention of, and response to, any sexual harassment or sexual assault that occurs during a Cadet's Sea Year experience with the United States Merchant Marine Academy.

(b) MEMBERSHIP.—The Maritime Administrator shall designate individuals to serve as members of the working group convened pursuant to subsection (a). Membership in the working group shall consist of—

(1) a representative of the Maritime Administration, which shall serve as chair of the working group;

(2) the Superintendent of the Academy, or designee;

(3) the sexual assault response coordinator appointed under section 51319 of title 46, United States Code, as added by section 202;

(4) a subject matter expert from the Coast Guard;

(5) a subject matter expert from the Military Sealift Command;

(6) at least 1 representative from each of the State maritime academies;

(7) at least 1 representative from each private contracting party participating in the maritime security program;

(8) at least 1 representative from each nonprofit labor organization representing a class or craft of employees employed on vessels in the Maritime Security Fleet;

(9) at least 2 representatives from approved maritime training institutions; and

(10) at least 1 representative from companies that—

(A) participate in sea training of Academy cadets; and

(B) do not participate in the maritime security program.

(c) NO QUORUM REQUIREMENT.—The Maritime Administration may convene the working group without all members present.

(d) RESPONSIBILITIES.—The working group shall—

(1) evaluate options that could promote a climate of honor and respect, and a culture that is intolerant of sexual harassment and sexual assault and those who commit it, across the United States Flag Fleet;

(2) raise awareness of the United States Merchant Marine Academy's sexual assault prevention and response program across the United States Flag Fleet;

(3) assess options that could be implemented by the United States Flag Fleet that would remove any barriers to the reporting of sexual harassment and sexual assault response that occur during a Cadet's Sea Year experience and protect the victim's confidentiality;

(4) assess a potential program or policy, applicable to all participants of the maritime security program, to improve the prevention of, and response to, sexual harassment and sexual assault incidents;

(5) assess a potential program or policy, applicable to all vessels operating in the United States Flag Fleet that participate in the Maritime Security Fleet under section 53101 of title 46, United States Code, which carry cargos to which chapter 531 of such title applies, or are chartered by a Federal agency, requiring crews to complete a sexual harassment and sexual assault prevention and response training program before the Cadet's Sea Year that includes—

(A) fostering a shipboard climate—

(i) that does not tolerate sexual harassment and sexual assault;

(ii) in which persons assigned to vessel crews are encouraged to intervene to prevent potential incidents of sexual harassment or sexual assault; and

(iii) that encourages victims of sexual assault to report any incident of sexual harassment or sexual assault; and

(B) understanding the needs of, and the resources available to, a victim after an incident of sexual harassment or sexual assault;

(6) assess whether the United States Merchant Marine Academy should continue with sea year training on privately owned vessels or change its curricula to provide alternative training; and

(7) assess how vessel operators could ensure the confidentiality of a report of sexual harassment or sexual assault in order to protect the victim and prevent retribution.

(e) REPORT.—Not later than 15 months after the date of the enactment of this Act, the working group 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 includes—

(1) recommendations on each of the working group's responsibilities described in subsection (d);

(2) the trade-offs, opportunities, and challenges associated with the recommendations made in paragraph (1); and

(3) any other information the working group determines appropriate.

TITLE III—MARITIME ADMINISTRATION ENHANCEMENT

SEC. 301. STATUS OF NATIONAL DEFENSE RESERVE FLEET VESSELS.

Section 4405 of title 50, United States Code, is amended—

(1) in subsection (a), by adding at the end the following: ''Vessels in the National Defense Reserve Fleet, including vessels loaned to State maritime academies, shall be considered public vessels of the United States.''; and

(2) by adding at the end the following:

''(g) VESSEL STATUS.—Ships or other watercraft in the National Defense Reserve Fleet determined by the Maritime Administration to be of insufficient value to remain in the National Defense Reserve Fleet—

''(1) shall remain vessels (as defined in section 3 of title 1); and

''(2) shall remain subject to the rights and responsibilities of a vessel under admiralty law until such time as the vessel is delivered to a dismantling facility or is otherwise disposed of from the National Defense Reserve Fleet.''.

SEC. 302. PORT INFRASTRUCTURE DEVELOPMENT.

Section 50302(c)(4) of title 46, United States Code, is amended—

(1) by striking ''There are authorized'' and inserting the following:

''(A) IN GENERAL.—There are authorized''; and

(2) by adding at the end the following:

''(B) ADMINISTRATIVE EXPENSES.—Except as otherwise provided by law, the Administrator may use not more than 3 percent of the amounts appropriated to carry out this section for the administrative expenses of the program.''.

SEC. 303. STATE MARITIME ACADEMY PHYSICAL STANDARDS AND REPORTING.

Section 51506 of title 46, United States Code, is amended—

(1) in subsection (a)—

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

(B) in paragraph (2), by striking ''and'' at the end;

(C) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(4) agree that any individual enrolled at such State maritime academy in a merchant marine officer preparation program—

''(A) shall, not later than 9 months after each such individual's date of enrollment, pass an examination in form and substance satisfactory to the Secretary that demonstrates that such individual meets the medical and physical requirements—

''(i) required for the issuance of an original license under section 7101; or

''(ii) set by the Coast Guard for issuing merchant mariners' documentation under section 7302, with no limit to his or her operational authority;

''(B) following passage of the examination under subparagraph (A), shall continue to meet the requirements or standards described in subparagraph (A) throughout the remainder of their respective enrollments at the State maritime academy; and

''(C) if the individual has a medical or physical condition that disqualifies him or her from meeting the requirements or standards referred to in subparagraph (A), shall be transferred to a program other than a merchant marine officer preparation program, or otherwise appropriately disenrolled from such State maritime academy, until the individual demonstrates to the Secretary that the individual meets such requirements or standards.''; and

(2) by adding at the end the following:

''(c) SECRETARIAL WAIVER AUTHORITY.—The Secretary is authorized to modify or waive any of the terms set forth in subsection (a)(4) with respect to any individual or State maritime academy.''.

SEC. 304. AUTHORITY TO EXTEND CERTAIN AGE RESTRICTIONS RELATING TO VESSELS PARTICIPATING IN THE MARITIME SECURITY FLEET.

(a) IN GENERAL.—Section 53102 of title 46, United States Code, is amended by adding at the end the following:

''(g) AUTHORITY FOR EXTENSION OF MAXIMUM SERVICE AGE FOR A PARTICIPATING FLEET VESSEL.—The Secretary of Defense, in conjunction with the Secretary of Transportation, may extend the maximum age restrictions under sections 53101(5)(A)(ii) and 53106(c)(3) for a particular participating fleet vessel for up to 5 years if the Secretary of Defense and the Secretary of Transportation jointly determine that such extension is in the national interest.''.

(b) REPEAL OF UNNECESSARY AGE LIMITATION.—Section 53106(c)(3) of such title is amended—

(1) in subparagraph (A), by striking ''or (C);'' and inserting ''; or'';

(2) in subparagraph (B), by striking ''; or'' at the end and inserting a period; and

(3) by striking subparagraph (C).

SEC. 305. APPOINTMENTS.

(a) IN GENERAL.—Section 51303 of title 46, United States Code, is amended by striking ''40'' and inserting ''50''.

(b) CLASS PROFILE.—Not later than August 31 of each year, the Superintendent of the United States Merchant Marine Academy shall post on the Academy's public website a summary profile of each class at the Academy.

(c) CONTENTS.—Each summary profile posted under subsection (b) shall include, for the incoming class and for the 4 classes that precede the incoming class, the number and percentage of students—

(1) by State;

(2) by country;

(3) by gender;

(4) by race and ethnicity; and

(5) with prior military service.

SEC. 306. HIGH-SPEED CRAFT CLASSIFICATION SERVICES.

(a) IN GENERAL.—Notwithstanding section 3316(a) of title 46, United States Code, the Secretary of the Navy may use the services of an approved classification society for only a high-speed craft that—

(1) was acquired by the Secretary from the Maritime Administration;

(2) is not a high-speed naval combatant, patrol vessel, expeditionary vessel, or other special purpose military or law enforcement vessel;

(3) is operated for commercial purposes;

(4) is not operated or crewed by any department, agency, instrumentality, or employee of the United States Government;

(5) is not directly engaged in any mission or other operation for or on behalf of any department, agency, instrumentality, or employee of the United States Government; and

(6) is not primarily designed to carry freight owned, leased, used, or contracted for or by the United States Government.

(b) DEFINITION OF APPROVED CLASSIFICATION SOCIETY.—In this section, the term ''approved classification society'' means a classification society that has been approved by the Secretary of the department in which the Coast Guard is operating under section 3316(c) of title 46, United States Code.

(c) SAVINGS CLAUSE.—Nothing in this section may be construed to affect the requirements under section 3316 of title 46, United States Code, for a high-speed craft that does not meet the conditions under paragraphs (1) through (6) of subsection (a).

SEC. 307. MARITIME WORKFORCE WORKING GROUP.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Transportation shall convene a working group to examine and assess the size of the pool of citizen mariners necessary to support the United States Flag Fleet in times of national emergency.

(b) MEMBERSHIP.—The Maritime Administrator shall designate individuals to serve as members of the working group convened under subsection (a). The working group

shall include, at a minimum, the following members:

(1) At least 1 representative of the Maritime Administration, who shall serve as chairperson of the working group.

(2) At least 1 subject matter expert from the United States Merchant Marine Academy.

(3) At least 1 subject matter expert from the Coast Guard.

(4) At least 1 subject matter expert from the Military Sealift Command.

(5) 1 subject matter expert from each of the State maritime academies.

(6) At least 1 representative from each nonprofit labor organization representing a class or craft of employees (licensed or unlicensed) who are employed on vessels operating in the United States Flag Fleet.

(7) At least 4 representatives of owners of vessels operating the in United States Flag Fleet, or their private contracting parties, which are primarily operating in non-contiguous or coastwise trades.

(8) At least 4 representatives of owners of vessels operating the in United States Flag Fleet, or their private contracting parties, which are primarily operating in international transportation.

(c) NO QUORUM REQUIREMENT.—The Maritime Administration may convene the working group without all members present.

(d) RESPONSIBILITIES.—The working group shall—

(1) identify the number of United States citizen mariners—

(A) in total;

(B) that have a valid United States Coast Guard merchant mariner credential with the necessary endorsements for service on unlimited tonnage vessels subject to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended;

(C) that are involved in Federal programs that support the United States Merchant Marine and United States Flag Fleet;

(D) that are available to crew the United States Flag Fleet and the surge sealift fleet in times of a national emergency;

(E) that are full-time mariners;

(F) that have sailed in the prior 18 months; and

(G) that are primarily operating in noncontiguous or coastwise trades;

(2) assess the impact on the United States Merchant Marine and United States Merchant Marine Academy if graduates from State maritime academies and the United States Merchant Marine Academy were assigned to, or required to fulfill, certain maritime positions based on the overall needs of the United States Merchant Marine;

(3) assess the Coast Guard Merchant Mariner Licensing and Documentation System, which tracks merchant mariner credentials and medical certificates, and its accessibility and value to the Maritime Administration for the purposes of evaluating the pool of United States citizen mariners; and

(4) make recommendations to enhance the availability and quality of interagency data, including data from the United States Transportation Command, the Coast Guard, and the Bureau of Transportation Statistics, for use by the Maritime Administration for evaluating the pool of United States citizen mariners.

(e) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Transportation 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 contains the results of the study conducted under this section, including—

(1) the number of United States citizen mariners identified for each category described in subparagraphs (A) through (G) of subsection (d)(1);

(2) the results of the assessments conducted under paragraphs (2) and (3) of subsection (d); and

(3) the recommendations made under subsection (d)(4).

SEC. 308. VESSEL DISPOSAL PROGRAM.

(a) ANNUAL REPORT.—Not later than January 1 of each year, the Administrator of the Maritime Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the management of the vessel disposal program of the Maritime Administration.

(b) CONTENTS.—The report under subsection (a) shall include—

(1) the total amount of funds credited in the prior fiscal year to—

(A) the Vessel Operations Revolving Fund established by section 50301(a) of title 46, United States Code; and

(B) any other account attributable to the vessel disposal program of the Maritime Administration;

(2) the balance of funds available at the end of that fiscal year in—

(A) the Vessel Operations Revolving Fund; and

(B) any other account described in paragraph (1)(B);

(3) in consultation with the Secretary of the Interior, the total number of—

(A) grant applications under the National Maritime Heritage Grants Program in the prior fiscal year; and

(B) the applications under subparagraph (A) that were approved by the Secretary of the Interior, acting through the National Maritime Initiative of the National Park Service;

(4) a detailed description of each project funded under the National Maritime Heritage Grants Program in the prior fiscal year for which funds from the Vessel Operations Revolving Funds were obligated, including the information described in paragraphs (1) through (3) of section 308703(j) of title 54, United States Code; and

(5) a detailed description of the funds credited to and distributions from the Vessel Operations Revolving Funds in the prior fiscal year.

(c) ASSESSMENTS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and biennially thereafter, the Administrator shall assess the vessel disposal program of the Maritime Administration.

(2) CONTENTS.—Each assessment under paragraph (1) shall include—

(A) an inventory of each vessel, subject to a disposal agreement, for which the Maritime Administration acts as the disposal agent, including—

(i) the age of the vessel; and

(ii) the name of the Federal agency with which the Maritime Administration has entered into a disposal agreement;

(B) a description of each vessel of a Federal agency that may meet the criteria for the Maritime Administration to act as the disposal agent, including—

(i) the age of the vessel; and

(ii) the name of the applicable Federal agency;

(C) the Maritime Administration's plan to serve as the disposal agent, as appropriate, for the vessels described in subparagraph (B); and

(D) any other information related to the vessel disposal program that the Administrator determines appropriate.

(d) CESSATION OF EFFECTIVENESS.—This section ceases to be effective on the date that is 5 years after the date of enactment of this Act.

SEC. 309. MARITIME EXTREME WEATHER TASK FORCE.

(a) ESTABLISHMENT OF TASK FORCE.—Not later than 15 days after the date of enactment of this Act, the Secretary of Transportation shall establish a task force to analyze the impact of extreme weather events, such as in the maritime environment (referred to in this section as the ''Task Force'').

(b) MEMBERSHIP.—The Task Force shall be composed of—

(1) the Secretary or the Secretary's designee; and

(2) a representative of—

(A) the Coast Guard;

(B) the National Oceanic and Atmospheric Administration;

(C) the Federal Maritime Commission; and

(D) such other Federal agency or independent commission as the Secretary considers appropriate.

(c) REPORT.—

(1) IN GENERAL.—Except as provided in paragraph (4), not later than 180 days after the date it is established under subsection (a), the Task Force shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the analysis under subsection (a).

(2) CONTENTS.—The report under paragraph (1) shall include—

(A) an identification of available weather prediction, monitoring, and routing technology resources;

(B) an identification of industry best practices relating to response to, and prevention of marine casualties from, extreme weather events;

(C) a description of how the resources described in subparagraph (A) are used in the various maritime sectors, including by passenger and cargo vessels;

(D) recommendations for improving maritime response operations to extreme weather events and preventing marine casualties from extreme weather events, such as promoting the use of risk communications and the technologies identified under subparagraph (A); and

(E) recommendations for any legislative or regulatory actions for improving maritime response operations to extreme weather events and preventing marine casualties from extreme weather events.

(3) PUBLICATION.—The Secretary shall make the report under paragraph (1) and any notification under paragraph (4) publicly accessible in an electronic format.

(4) IMMINENT THREATS.—The Task Force shall immediately notify the Secretary of any finding or recommendations that could protect the safety of an individual on a vessel from an imminent threat of extreme weather.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

TITLE IV—IMPLEMENTATION OF WORKFORCE MANAGEMENT IMPROVEMENTS

SEC. 401. WORKFORCE PLANS AND ONBOARDING POLICIES.

(a) WORKFORCE PLANS.—Not later than 9 months after the date of the enactment of this Act, the Maritime Administrator shall review the Maritime Administration's workforce plans, including its Strategic Human Capital Plan and Leadership Succession Plan, and fully implement competency models for mission–critical occupations, including—

(1) leadership positions;
(2) human resources positions; and
(3) transportation specialist positions.

(b) ONBOARDING POLICIES.—Not later than 9 months after the date of the enactment of this Act, the Administrator shall—

(1) review the Maritime Administration's policies related to new hire orientation, training, and misconduct policies;

(2) align the onboarding policies and procedures at headquarters and the field offices to ensure consistent implementation and provision of critical information across the Maritime Administration; and

(3) update the Maritime Administration's training policies and training systems to include controls that ensure that all completed training is tracked in a standardized training repository.

(c) ONBOARDING POLICIES.—Not later than 1 year after the date of the enactment of this Act, the Administrator 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 describes the Maritime Administration's compliance with the requirements under this section.

SEC. 402. DRUG AND ALCOHOL POLICY.

(a) REVIEW.—Not later than 9 months after the date of the enactment of this Act, the Maritime Administrator shall—

(1) review the Maritime Administration's drug and alcohol policies, procedures, and training practices;

(2) ensure that all fleet managers have received training on the Department of Transportation's drug and alcohol policy, including the testing procedures used by the Department and the Maritime Administration in cases of reasonable suspicion; and

(3) institute a system for tracking all drug and alcohol policy training conducted under paragraph (2) in a standardized training repository.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Administrator 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 describes the Maritime Administration's compliance with the requirements under this section.

SEC. 403. VESSEL TRANSFERS.

Not later than 9 months after the date of the enactment of this Act, the Maritime Administrator 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 describes the policies and procedures for vessel transfer, including—

(1) a summary of the actions taken to update the Vessel Transfer Office procedures manual to reflect the current range of program responsibilities and processes; and

(2) a copy of the updated Vessel Transfer Office procedures to process vessel transfer applications.

TITLE V—TECHNICAL AMENDMENTS

SEC. 501. CLARIFYING AMENDMENT; CONTINUATION BOARDS.

Section 290(a) of title 14, United States Code, is amended by striking ''five officers serving in the grade of vice admiral'' and inserting ''5 officers (other than the Commandant) serving in the grade of admiral or vice admiral''.

SEC. 502. PROSPECTIVE PAYMENT OF FUNDS NECESSARY TO PROVIDE MEDICAL CARE.

(a) IN GENERAL.—Chapter 13 of title 14, United States Code, is amended by adding at the end the following:

''§ 520. Prospective payment of funds necessary to provide medical care

''(a) PROSPECTIVE PAYMENT REQUIRED.—In lieu of the reimbursement required under section 1085 of title 10, the Secretary of Homeland Security shall make a prospective payment to the Secretary of Defense of an amount that represents the actuarial valuation of treatment or care—

''(1) that the Department of Defense shall provide to members of the Coast Guard, former members of the Coast Guard, and dependents of such members and former members (other than former members and dependents of former members who are a Medicare-eligible beneficiary or for whom the payment for treatment or care is made from the Medicare-Eligible Retiree Health Care Fund) at facilities under the jurisdiction of the Department of Defense or a military department; and

''(2) for which a reimbursement would otherwise be made under such section 1085.

''(b) AMOUNT.—The amount of the prospective payment under subsection (a)—

''(1) shall be derived from amounts appropriated for the operating expenses of the Coast Guard for treatment or care provided to members of the Coast Guard and their dependents;

''(2) shall be derived from amounts appropriated for retired pay for treatment or care provided to former members of the Coast Guard and their dependents;

''(3) shall be determined under procedures established by the Secretary of Defense;

''(4) shall be paid during the fiscal year in which treatment or care is provided; and

''(5) shall be subject to adjustment or reconciliation, as the Secretary of Homeland Security and the Secretary of Defense jointly determine appropriate, during or promptly after such fiscal year if the prospective payment is determined excessive or insufficient based on the services actually provided.

''(c) NO PROSPECTIVE PAYMENT WHEN SERVICE IN NAVY.—No prospective payment shall be made under this section for any period during which the Coast Guard operates as a service in the Navy.

''(d) RELATIONSHIP TO TRICARE.—This section may not be construed to require a payment for, or the prospective payment of an amount that represents the value of, treatment or care provided under any TRICARE program.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 13 of title 14, United States Code, is amended by adding at the end the following:

''520. Prospective payment of funds necessary to provide medical care.''.

(c) REPEAL.—Section 217 of the Coast Guard Authorization Act of 2016 (Public Law 114–120) and the item relating to that section in the table of contents in section 2 of such Act, are repealed.

SEC. 503. TECHNICAL CORRECTIONS TO TITLE 46, UNITED STATES CODE.

(a) IN GENERAL.—Title 46, United States Code, is amended—

(1) in section 4503(f)(2), by striking ''that'' after ''necessary,''; and

(2) in section 7510(c)—

(A) in paragraph (1)(D), by striking ''engine'' and inserting ''engineer''; and

(B) in paragraph (9), by inserting a period after ''App''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of the Coast Guard Authorization Act of 2015 (Public Law 114–120).

SEC. 504. COAST GUARD USE OF THE PRIBILOF ISLANDS.

(a) IN GENERAL.—Section 522(a)(1) of the Pribilof Island Transition Completion Act of 2015 (subtitle B of title V of Public Law 114–120) is amended by striking ''Lots'' and inserting ''Not later than 30 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, lots''.

(b) REPORT.—Not later than 60 days after the date of the enactment of the Maritime Administration Authorization and Enhancement Act for Fiscal Year 2017, the Secretary of the department in which the Coast Guard is operating shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Natural Resources of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) the Coast Guard's use of Tracts 43 and 39, located on St. Paul Island, Alaska, since operation of the LORAN-C system was terminated;

(2) the Coast Guard's plans for using the tracts described in paragraph (1) during fiscal years 2016, 2017, and 2018; and

(3) the Coast Guard's plans for using the tracts described in paragraph (1) and other facilities on St. Paul Island after fiscal year 2018.

TITLE VI—POLAR ICEBREAKER FLEET RECAPITALIZATION TRANSPARENCY ACT

SEC. 601. SHORT TITLE.

This title may be cited as the ''Polar Icebreaker Fleet Recapitalization Transparency Act''.

SEC. 602. DEFINITIONS.

In this title:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(2) SECRETARY.—Except as otherwise specifically provided, the term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

SEC. 603. POLAR ICEBREAKER RECAPITALIZATION PLAN.

(a) REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of the Navy, shall submit to the appropriate committees of Congress, a detailed recapitalization plan to meet the 2013 Department of Homeland Security Mission Need Statement.

(b) CONTENTS.—The plan required under subsection (a) shall—

(1) detail the number of heavy and medium polar icebreakers required to meet Coast Guard statutory missions in the polar regions;

(2) identify the vessel specifications, capabilities, systems, equipment, and other details required for the design of heavy polar icebreakers capable of fulfilling the mission requirements of the Coast Guard and the Navy, and the requirements of other agencies and department of the United States, as the Secretary determines appropriate;

(3) list the specific appropriations required for the acquisition of each icebreaker, for each fiscal year, until the full fleet is recapitalized;

(4) describe the potential savings of serial acquisition for new polar class icebreakers, including specific schedule and acquisition requirements needed to realize such savings;

(5) describe any polar icebreaking capacity gaps that may arise based on the current fleet and current procurement outlook; and

(6) describe any additional polar icebreaking capability gaps due to any further delay in procurement schedules.

SEC. 604. GAO REPORT ICEBREAKING CAPABILITY IN THE UNITED STATES.

(a) REQUIREMENT.—Not later than 6 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the current state of the United States Federal polar icebreaking fleet.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) an analysis of the icebreaking assets in operation in the United States and a description of the missions completed by such assets;

(2) an analysis of how such assets and the capabilities of such assets are consistent, or inconsistent, with the polar icebreaking mission requirements described in the 2013 Department of Homeland Security Mission Need Statement, the Naval Operations Concept 2010, or other military and civilian governmental missions in the United States;

(3) an analysis of the gaps in icebreaking capability of the United States based on the expected service life of the fleet of United States icebreaking assets;

(4) a list of countries that are allies of the United States that have the icebreaking capacity to exercise missions in the Arctic during any identified gap in United States icebreaking capacity in a polar region; and

(5) a description of the policy, financial, and other barriers that have prevented timely recapitalization of the Coast Guard polar icebreaking fleet and recommendations to overcome such barriers, including potential international fee-based models used to compensate governments for icebreaking escorts or maintenance of maritime routes.

TITLE VII—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION SEXUAL HARASSMENT AND ASSAULT PREVENTION ACT

SEC. 701. SHORT TITLE.

This title may be cited as the ''National Oceanic and Atmospheric Administration Sexual Harassment and Assault Prevention Act''.

Subtitle A—Sexual Harassment and Assault Prevention at the National Oceanic and Atmospheric Administration

SEC. 711. ACTIONS TO ADDRESS SEXUAL HARASSMENT AT NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) REQUIRED POLICY.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce shall, acting through the Under Secretary for Oceans and Atmosphere, develop a policy on the prevention of and response to sexual harassment involving employees of the National Oceanic and Atmospheric Administration, members of the commissioned officer corps of the Administration, and individuals who work with or conduct business on behalf of the Administration.

(b) MATTERS TO BE SPECIFIED IN POLICY.—The policy developed under subsection (a) shall include—

(1) establishment of a program to promote awareness of the incidence of sexual harassment;

(2) clear procedures an individual should follow in the case of an occurrence of sexual harassment, including—

(A) a specification of the person or persons to whom an alleged occurrence of sexual harassment should be reported by an individual and options for confidential reporting, including—

(i) options and contact information for after-hours contact; and

(ii) procedure for obtaining assistance and reporting sexual harassment while working in a remote scientific field camp, at sea, or in another field status; and

(B) a specification of any other person whom the victim should contact;

(3) establishment of a mechanism by which—

(A) questions regarding sexual harassment can be confidentially asked and confidentially answered; and

(B) incidents of sexual harassment can be confidentially reported; and

(4) a prohibition on retaliation and consequences for retaliatory actions.

(c) CONSULTATION AND ASSISTANCE.—In developing the policy required by subsection (a), the Secretary may consult or receive assistance from such State, local, and national organizations and subject matter experts as the Secretary considers appropriate.

(d) AVAILABILITY OF POLICY.—The Secretary shall ensure that the policy developed under subsection (a) is available to—

(1) all employees of the Administration and members of the commissioned officer corps of the Administration, including those employees and members who conduct field work for the Administration; and

(2) the public.

(e) GEOGRAPHIC DISTRIBUTION OF EQUAL EMPLOYMENT OPPORTUNITY PERSONNEL.—The Secretary shall ensure that at least 1 employee of the Administration who is tasked with handling matters relating to equal employment opportunity or sexual harassment is stationed—

(1) in each region in which the Administration conducts operations; and

(2) in each marine and aviation center of the Administration.

(f) QUARTERLY REPORTS.—

(1) IN GENERAL.—Not less frequently than 4 times each year, the Director of the Civil Rights Office of the Administration shall submit to the Under Secretary a report on sexual harassment in the Administration.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include the following:

(A) Number of sexual harassment cases, both actionable and non-actionable, involving individuals covered by the policy developed under subsection (a).

(B) Number of open actionable sexual harassment cases and how long the cases have been open.

(C) Such trends or region specific issues as the Director may have discovered with respect to sexual harassment in the Administration.

(D) Such recommendations as the Director may have with respect to sexual harassment in the Administration.

SEC. 712. ACTIONS TO ADDRESS SEXUAL ASSAULT AT NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) COMPREHENSIVE POLICY ON PREVENTION AND RESPONSE TO SEXUAL ASSAULTS.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce shall, acting through the Under Secretary for Oceans and Atmosphere, develop a comprehensive policy on the prevention of and response to sexual assaults involving employees of the National Oceanic and Atmospheric Administration, members of the commissioned officer corps of the Administration, and individuals who work with or conduct business on behalf of the Administration.

(b) ELEMENTS OF COMPREHENSIVE POLICY.—The comprehensive policy developed under subsection (a) shall, at minimum, address the following matters:

(1) Prevention measures.

(2) Education and training on prevention and response.

(3) A list of support resources an individual may use in the occurrence of sexual assault, including—

(A) options and contact information for after-hours contact; and

(B) procedure for obtaining assistance and reporting sexual assault while working in a remote scientific field camp, at sea, or in another field status.

(4) Easy and ready availability of information described in paragraph (3).

(5) Establishing a mechanism by which—

(A) questions regarding sexual assault can be confidentially asked and confidentially answered; and

(B) incidents of sexual assault can be confidentially reported.

(6) Protocols for the investigation of complaints by command and law enforcement personnel.

(7) Prohibiting retaliation and consequences for retaliatory actions against someone who reports a sexual assault.

(8) Oversight by the Under Secretary of administrative and disciplinary actions in response to substantial incidents of sexual assault.

(9) Victim advocacy, including establishment of and the responsibilities and training requirements for victim advocates as described in subsection (c).

(10) Availability of resources for victims of sexual assault within other Federal agencies and State, local, and national organizations.

(c) VICTIM ADVOCACY.—

(1) IN GENERAL.—The Secretary, acting through the Under Secretary, shall establish victim advocates to advocate for victims of sexual assaults involving employees of the Administration, members of the commissioned officer corps of the Administration, and individuals who work with or conduct business on behalf of the Administration.

(2) VICTIM ADVOCATES.—For purposes of this subsection, a victim advocate is a permanent employee of the Administration who—

(A) is trained in matters relating to sexual assault and the comprehensive policy developed under subsection (a); and

(B) serves as a victim advocate voluntarily and in addition to the employee's other duties as an employee of the Administration.

(3) PRIMARY DUTIES.—The primary duties of a victim advocate established under paragraph (1) shall include the following:

(A) Supporting victims of sexual assault and informing them of their rights and the resources available to them as victims.

(B) Acting as a companion in navigating investigative, medical, mental and emotional health, and recovery processes relating to sexual assault.

(C) Helping to identify resources to ensure the safety of victims of sexual assault.

(4) LOCATION.—The Secretary shall ensure that at least 1 victim advocate established under paragraph (1) is stationed—

(A) in each region in which the Administration conducts operations; and

(B) in each marine and aviation center of the Administration.

(5) HOTLINE.—

(A) IN GENERAL.—In carrying out this subsection, the Secretary shall establish a telephone number at which a victim of a sexual assault can contact a victim advocate.

(B) 24-HOUR ACCESS.—The Secretary shall ensure that the telephone number established under subparagraph (A) is monitored at all times.

(6) FORMAL RELATIONSHIPS WITH OTHER ENTITIES.—The Secretary may enter into formal relationships with other entities to make available additional victim advocates.

(d) AVAILABILITY OF POLICY.—The Secretary shall ensure that the policy developed under subsection (a) is available to—

(1) all employees of the Administration and members of the commissioned officer corps of the Administration, including those employees and members who conduct field work for the Administration; and

(2) the public.

(e) CONSULTATION AND ASSISTANCE.—In developing the policy required by subsection (a), the Secretary may consult or receive assistance from such State, local, and national organizations and subject matter experts as the Secretary considers appropriate.

SEC. 713. RIGHTS OF THE VICTIM OF A SEXUAL ASSAULT.

A victim of a sexual assault covered by the comprehensive policy developed under section 712(a) has the right to be reasonably protected from the accused.

SEC. 714. CHANGE OF STATION.

(a) CHANGE OF STATION, UNIT TRANSFER, OR CHANGE OF WORK LOCATION OF VICTIMS.—

(1) TIMELY CONSIDERATION AND ACTION UPON REQUEST.—The Secretary of Commerce, acting through the Under Secretary for Oceans and Atmosphere, shall—

(A) in the case of a member of the commissioned officer corps of the National Oceanic and Atmospheric Administration who was a victim of a sexual assault, in order to reduce the possibility of retaliation or further sexual assault, provide for timely determination and action on an application submitted by the victim for consideration of a change of station or unit transfer of the victim; and

(B) in the case of an employee of the Administration who was a victim of a sexual assault, to the degree practicable and in order to reduce the possibility of retaliation against the employee for reporting the sexual assault, accommodate a request for a change of work location of the victim.

(2) PROCEDURES.—

(A) PERIOD FOR APPROVAL AND DISAPPROVAL.—The Secretary, acting through the Under Secretary, shall ensure that an application or request submitted under paragraph (1) for a change of station, unit transfer, or change of work location is approved or denied within 72 hours of the submission of the application or request.

(B) REVIEW.—If an application or request submitted under paragraph (1) by a victim of a sexual assault for a change of station, unit transfer, or change of work location of the victim is denied—

(i) the victim may request the Secretary review the denial; and

(ii) the Secretary, acting through the Under Secretary, shall, not later than 72 hours after receiving such request, affirm or overturn the denial.

(b) CHANGE OF STATION, UNIT TRANSFER, AND CHANGE OF WORK LOCATION OF ALLEGED PERPETRATORS.—

(1) IN GENERAL.—The Secretary, acting through the Under Secretary, shall develop a policy for the protection of victims of sexual assault described in subsection (a)(1) by providing the alleged perpetrator of the sexual assault with a change of station, unit transfer, or change of work location, as the case may be, if the alleged perpetrator is a member of the commissioned officer corps of the Administration or an employee of the Administration.

(2) POLICY REQUIREMENTS.—The policy required by paragraph (1) shall include the following:

(A) A means to control access to the victim.

(B) Due process for the victim and the alleged perpetrator.

(c) REGULATIONS.—

(1) IN GENERAL.—The Secretary shall promulgate regulations to carry out this section.

(2) CONSISTENCY.—When practicable, the Secretary shall make regulations promulgated under this section consistent with similar regulations promulgated by the Secretary of Defense.

SEC. 715. APPLICABILITY OF POLICIES TO CREWS OF VESSELS SECURED BY NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION UNDER CONTRACT.

The Under Secretary for Oceans and Atmosphere shall ensure that each contract into which the Under Secretary enters for the use of a vessel by the National Oceanic and Atmospheric Administration that covers the crew of the vessel, if any, shall include as a condition of the contract a provision that subjects such crew to the policy developed under section 711(a) and the comprehensive policy developed under section 712(a).

SEC. 716. ANNUAL REPORT ON SEXUAL ASSAULTS IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) IN GENERAL.—Not later than January 15 of each year, the Secretary of Commerce shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a report on the sexual assaults involving employees of the National Oceanic and Atmospheric Administration, members of the commissioned officer corps of the Administration, and individuals who work with or conduct business on behalf of the Administration.

(b) CONTENTS.—Each report submitted under subsection (a) shall include, with respect to the previous calendar year, the following:

(1) The number of alleged sexual assaults involving employees, members, and individuals described in subsection (a).

(2) A synopsis of each case and the disciplinary action taken, if any, in each case.

(3) The policies, procedures, and processes implemented by the Secretary, and any updates or revisions to such policies, procedures, and processes.

(4) A summary of the reports received by the Under Secretary for Oceans and Atmosphere under section 711(f).

(c) PRIVACY PROTECTION.—In preparing and submitting a report under subsection (a), the Secretary shall ensure that no individual involved in an alleged sexual assault can be identified by the contents of the report.

SEC. 717. DEFINITION.

In this subtitle, the term ''sexual assault'' shall have the meaning given such term in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).

Subtitle B—Commissioned Officer Corps of the National Oceanic and Atmospheric Administration

SEC. 721. REFERENCES TO NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.

Except as otherwise expressly provided, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001 et seq.).

PART I—GENERAL PROVISIONS

SEC. 722. STRENGTH AND DISTRIBUTION IN GRADE.

Section 214 (33 U.S.C. 3004) is amended to read as follows:

''SEC. 214. STRENGTH AND DISTRIBUTION IN GRADE.

''(a) GRADES.—The commissioned grades in the commissioned officer corps of the Administration are the following, in relative rank with officers of the Navy:

''(1) Vice admiral.

''(2) Rear admiral.

''(3) Rear admiral (lower half).

''(4) Captain.

''(5) Commander.

''(6) Lieutenant commander.

''(7) Lieutenant.

''(8) Lieutenant (junior grade).

''(9) Ensign.

''(b) GRADE DISTRIBUTION.—The Secretary shall prescribe, with respect to the distribution on the lineal list in grade, the percentages applicable to the grades set forth in subsection (a).

''(c) ANNUAL COMPUTATION OF NUMBER IN GRADE.—

''(1) IN GENERAL.—Not less frequently than once each year, the Secretary shall make a computation to determine the number of officers on the lineal list authorized to be serving in each grade.

''(2) METHOD OF COMPUTATION.—The number in each grade shall be computed by applying the applicable percentage to the total number of such officers serving on active duty on the date the computation is made.

''(3) FRACTIONS.—If a final fraction occurs in computing the authorized number of officers in a grade, the nearest whole number shall be taken. If the fraction is ½, the next higher whole number shall be taken.

''(d) TEMPORARY INCREASE IN NUMBERS.—The total number of officers authorized by law to be on the lineal list during a fiscal year may be temporarily exceeded if the average number on that list during that fiscal year does not exceed the authorized number.

''(e) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Officers serving in positions designated under section 228(a) and officers recalled from retired status shall not be counted when computing authorized strengths under subsection (c) and shall not count against those strengths.

''(f) PRESERVATION OF GRADE AND PAY.—No officer may be reduced in grade or pay or separated from the commissioned officer corps of the Administration as the result of a computation made to determine the authorized number of officers in the various grades.''.

SEC. 723. RECALLED OFFICERS.

Section 215 (33 U.S.C. 3005) is amended—

(1) in the matter before paragraph (1), by striking ''Effective'' and inserting the following:

''(a) IN GENERAL.—Effective''; and

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

''(b) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Officers serving in positions designated under section 228 and officers recalled from retired status—

''(1) may not be counted in determining the total number of authorized officers on the lineal list under this section; and

''(2) may not count against such number.''.

SEC. 724. OBLIGATED SERVICE REQUIREMENT.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.) is amended by adding at the end the following:

''SEC. 216. OBLIGATED SERVICE REQUIREMENT.

''(a) IN GENERAL.—

''(1) RULEMAKING.—The Secretary shall prescribe the obligated service requirements for appointments, training, promotions, separations, continuations, and retirement of officers not otherwise covered by law.

''(2) WRITTEN AGREEMENTS.—The Secretary and officers shall enter into written agreements that describe the officers' obligated service requirements prescribed under paragraph (1) in return for such appointments, training, promotions, separations, and retirements as the Secretary considers appropriate.

''(b) REPAYMENT FOR FAILURE TO SATISFY REQUIREMENTS.—

''(1) IN GENERAL.—The Secretary may require an officer who fails to meet the service requirements prescribed under subsection

(a)(1) to reimburse the Secretary in an amount that bears the same ratio to the total costs of the training provided to that officer by the Secretary as the unserved portion of active duty bears to the total period of active duty the officer agreed to serve.

''(2) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to reimburse the Secretary under paragraph (1) shall be considered for all purposes as a debt owed to the United States.

''(3) DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11 that is entered less than 5 years after the termination of a written agreement entered into under subsection (a)(2) does not discharge the individual signing the agreement from a debt arising under such agreement.

''(c) WAIVER OR SUSPENSION OF COMPLIANCE.—The Secretary may waive the service obligation of an officer who—

''(1) becomes unqualified to serve on active duty in the commissioned officer corps of the Administration because of a circumstance not within the control of that officer; or

''(2) is—

''(A) not physically qualified for appointment; and

''(B) determined to be unqualified for service in the commissioned officer corps of the Administration because of a physical or medical condition that was not the result of the officer's own misconduct or grossly negligent conduct.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 215 the following:

''Sec. 216. Obligated service requirement.''.

SEC. 725. TRAINING AND PHYSICAL FITNESS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 724(a), is further amended by adding at the end the following:

''SEC. 217. TRAINING AND PHYSICAL FITNESS.

''(a) TRAINING.—The Secretary may take such measures as may be necessary to ensure that officers are prepared to carry out their duties in the commissioned officer corps of the Administration and proficient in the skills necessary to carry out such duties. Such measures may include the following:

''(1) Carrying out training programs and correspondence courses, including establishing and operating a basic officer training program to provide initial indoctrination and maritime vocational training for officer candidates as well as refresher training, midcareer training, aviation training, and such other training as the Secretary considers necessary for officer development and proficiency.

''(2) Providing officers and officer candidates with books and school supplies.

''(3) Acquiring such equipment as may be necessary for training and instructional purposes.

''(b) PHYSICAL FITNESS.—The Secretary shall ensure that officers maintain a high physical state of readiness by establishing standards of physical fitness for officers that are substantially equivalent to those prescribed for officers in the Coast Guard.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 724(b), is further amended by inserting after the item relating to section 216 the following:

''Sec. 217. Training and physical fitness.''.

SEC. 726. RECRUITING MATERIALS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by sections 724 and 725, is further amended by adding at the end the following:

''SEC. 218. USE OF RECRUITING MATERIALS FOR PUBLIC RELATIONS.

''The Secretary may use for public relations purposes of the Department of Commerce any advertising materials developed for use for recruitment and retention of personnel for the commissioned officer corps of the Administration. Any such use shall be under such conditions and subject to such restrictions as the Secretary shall prescribe.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 725(b), is further amended by inserting after the item relating to section 217 the following:

''Sec. 218. Use of recruiting materials for public relations.''.

SEC. 727. CHARTER VESSEL SAFETY POLICY.

(a) POLICY REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce shall, acting through the Under Secretary for Oceans and Atmosphere, develop and implement a charter vessel safety policy applicable to the acquisition by the National Oceanic and Atmospheric Administration of charter vessel services.

(b) ELEMENTS.—The policy required by subsection (a) shall address vessel safety, operational safety, and basic personnel safety requirements applicable to the vessel size, type, and intended use. At a minimum, the policy shall include the following:

(1) Basic vessel safety requirements that address stability, egress, fire protection and lifesaving equipment, hazardous materials, and pollution control.

(2) Personnel safety requirements that address crew qualifications, medical training and services, safety briefings and drills, and crew habitability.

(c) LIMITATION.—The Secretary shall ensure that the basic vessel safety requirements and personnel safety requirements included in the policy required by subsection (a)—

(1) do not exceed the vessel safety requirements and personnel safety requirements promulgated by the Secretary of the department in which the Coast Guard is operating; and

(2) to the degree practicable, are consistent with the requirements described in paragraph (1).

SEC. 728. TECHNICAL CORRECTION.

Section 101(21)(C) of title 38, United States Code, is amended by inserting ''in the commissioned officer corps'' before ''of the National''.

PART II—PARITY AND RECRUITMENT

SEC. 731. EDUCATION LOANS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.) is amended by adding at the end the following:

''SEC. 267. EDUCATION LOAN REPAYMENT PROGRAM.

''(a) AUTHORITY TO REPAY EDUCATION LOANS.—For the purpose of maintaining adequate numbers of officers of the commissioned officer corps of the Administration on active duty who have skills required by the commissioned officer corps, the Secretary may repay, in the case of a person described in subsection (b), a loan that—

''(1) was used by the person to finance education; and

''(2) was obtained from a governmental entity, private financial institution, educational institution, or other authorized entity.

''(b) ELIGIBLE PERSONS.—To be eligible to obtain a loan repayment under this section, a person must—

''(1) satisfy 1 of the requirements specified in subsection (c);

''(2) be fully qualified for, or hold, an appointment as a commissioned officer in the commissioned officer corps of the Administration; and

''(3) sign a written agreement to serve on active duty, or, if on active duty, to remain on active duty for a period in addition to any other incurred active duty obligation.

''(c) ACADEMIC AND PROFESSIONAL REQUIREMENTS.—One of the following academic requirements must be satisfied for purposes of determining the eligibility of an individual for a loan repayment under this section:

''(1) The person is fully qualified in a profession that the Secretary has determined to be necessary to meet identified skill shortages in the commissioned officer corps.

''(2) The person is enrolled as a full-time student in the final year of a course of study at an accredited educational institution (as determined by the Secretary of Education) leading to a degree in a profession that will meet identified skill shortages in the commissioned officer corps.

''(d) LOAN REPAYMENTS.—

''(1) IN GENERAL.—Subject to the limits established under paragraph (2), a loan repayment under this section may consist of the payment of the principal, interest, and related expenses of a loan obtained by a person described in subsection (b).

''(2) LIMITATION ON AMOUNT.—For each year of obligated service that a person agrees to serve in an agreement described in subsection (b)(3), the Secretary may pay not more than the amount specified in section 2173(e)(2) of title 10, United States Code.

''(e) ACTIVE DUTY SERVICE OBLIGATION.—

''(1) IN GENERAL.—A person entering into an agreement described in subsection (b)(3) incurs an active duty service obligation.

''(2) LENGTH OF OBLIGATION DETERMINED UNDER REGULATIONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the length of the obligation under paragraph (1) shall be determined under regulations prescribed by the Secretary.

''(B) MINIMUM OBLIGATION.—The regulations prescribed under subparagraph (A) may not provide for a period of obligation of less than 1 year for each maximum annual amount, or portion thereof, paid on behalf of the person for qualified loans.

''(3) PERSONS ON ACTIVE DUTY BEFORE ENTERING INTO AGREEMENT.—The active duty service obligation of persons on active duty before entering into the agreement shall be served after the conclusion of any other obligation incurred under the agreement.

''(f) EFFECT OF FAILURE TO COMPLETE OBLIGATION.—

''(1) ALTERNATIVE OBLIGATIONS.—An officer who is relieved of the officer's active duty obligation under this section before the completion of that obligation may be given any alternative obligation, at the discretion of the Secretary.

''(2) REPAYMENT.—An officer who does not complete the period of active duty specified in the agreement entered into under subsection (b)(3), or the alternative obligation imposed under paragraph (1), shall be subject to the repayment provisions under section 216.

''(g) RULEMAKING.—The Secretary shall prescribe regulations to carry out this section, including—

''(1) standards for qualified loans and authorized payees; and

''(2) other terms and conditions for the making of loan repayments.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services

Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 266 the following:

''Sec. 267. Education loan repayment program.''.

SEC. 732. INTEREST PAYMENTS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by section 731(a), is further amended by adding at the end the following:

''SEC. 268. INTEREST PAYMENT PROGRAM.

''(a) AUTHORITY.—The Secretary may pay the interest and any special allowances that accrue on 1 or more student loans of an eligible officer, in accordance with this section.

''(b) ELIGIBLE OFFICERS.—An officer is eligible for the benefit described in subsection (a) while the officer—

''(1) is serving on active duty;

''(2) has not completed more than 3 years of service on active duty;

''(3) is the debtor on 1 or more unpaid loans described in subsection (c); and

''(4) is not in default on any such loan.

''(c) STUDENT LOANS.—The authority to make payments under subsection (a) may be exercised with respect to the following loans:

''(1) A loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.).

''(2) A loan made under part D of such title (20 U.S.C. 1087a et seq.).

''(3) A loan made under part E of such title (20 U.S.C. 1087aa et seq.).

''(d) MAXIMUM BENEFIT.—Interest and any special allowance may be paid on behalf of an officer under this section for any of the 36 consecutive months during which the officer is eligible under subsection (b).

''(e) FUNDS FOR PAYMENTS.—The Secretary may use amounts appropriated for the pay and allowances of personnel of the commissioned officer corps of the Administration for payments under this section.

''(f) COORDINATION WITH SECRETARY OF EDUCATION.—

''(1) IN GENERAL.—The Secretary shall consult with the Secretary of Education regarding the administration of this section.

''(2) TRANSFER OF FUNDS.—The Secretary shall transfer to the Secretary of Education the funds necessary—

''(A) to pay interest and special allowances on student loans under this section (in accordance with sections 428(o), 455(l), and 464(j) of the Higher Education Act of 1965 (20 U.S.C. 1078(o), 1087e(l), and 1087dd(j)); and

''(B) to reimburse the Secretary of Education for any reasonable administrative costs incurred by the Secretary in coordinating the program under this section with the administration of the student loan programs under parts B, D, and E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., 1087aa et seq.).

''(g) SPECIAL ALLOWANCE DEFINED.—In this section, the term 'special allowance' means a special allowance that is payable under section 438 of the Higher Education Act of 1965 (20 U.S.C. 1087–1).''.

(b) CONFORMING AMENDMENTS.—

(1) Section 428(o) of the Higher Education Act of 1965 (20 U.S.C. 1078(o)) is amended—

(A) by striking the subsection heading and inserting ''ARMED FORCES AND NOAA COMMISSIONED OFFICER CORPS STUDENT LOAN INTEREST PAYMENT PROGRAMS''; and

(B) in paragraph (1)—

(i) by inserting ''or section 264 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002'' after ''Code,''; and

(ii) by inserting ''or an officer in the commissioned officer corps of the National Oceanic and Atmospheric Administration, respectively,'' after ''Armed Forces''.

(2) Sections 455(l) and 464(j) of the Higher Education Act of 1965 (20 U.S.C. 1087e(l) and 1087dd(j)) are each amended—

(A) by striking the subsection heading and inserting ''ARMED FORCES AND NOAA COMMISSIONED OFFICER CORPS STUDENT LOAN INTEREST PAYMENT PROGRAMS''; and

(B) in paragraph (1)—

(i) by inserting ''or section 264 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002'' after ''Code,''; and

(ii) by inserting ''or an officer in the commissioned officer corps of the National Oceanic and Atmospheric Administration, respectively'' after ''Armed Forces''.

(c) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 731(b), is further amended by inserting after the item relating to section 267 the following:

''Sec. 268. Interest payment program.''.

SEC. 733. STUDENT PRE-COMMISSIONING PROGRAM.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by section 732(a), is further amended by adding at the end the following:

''SEC. 269. STUDENT PRE-COMMISSIONING EDUCATION ASSISTANCE PROGRAM.

''(a) AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE.—For the purpose of maintaining adequate numbers of officers of the commissioned officer corps of the Administration on active duty, the Secretary may provide financial assistance to a person described in subsection (b) for expenses of the person while the person is pursuing on a full-time basis at an accredited educational institution (as determined by the Secretary of Education) a program of education approved by the Secretary that leads to—

''(1) a baccalaureate degree in not more than 5 academic years; or

''(2) a postbaccalaureate degree.

''(b) ELIGIBLE PERSONS.—

''(1) IN GENERAL.—A person is eligible to obtain financial assistance under subsection (a) if the person—

''(A) is enrolled on a full-time basis in a program of education referred to in subsection (a) at any educational institution described in such subsection;

''(B) meets all of the requirements for acceptance into the commissioned officer corps of the Administration except for the completion of a baccalaureate degree; and

''(C) enters into a written agreement with the Secretary described in paragraph (2).

''(2) AGREEMENT.—A written agreement referred to in paragraph (1)(C) is an agreement between the person and the Secretary in which the person agrees—

''(A) to accept an appointment as an officer, if tendered; and

''(B) upon completion of the person's educational program, agrees to serve on active duty, immediately after appointment, for—

''(i) up to 3 years if the person received less than 3 years of assistance; and

''(ii) up to 5 years if the person received at least 3 years of assistance.

''(c) QUALIFYING EXPENSES.—Expenses for which financial assistance may be provided under subsection (a) are the following:

''(1) Tuition and fees charged by the educational institution involved.

''(2) The cost of books.

''(3) In the case of a program of education leading to a baccalaureate degree, laboratory expenses.

''(4) Such other expenses as the Secretary considers appropriate.

''(d) LIMITATION ON AMOUNT.—The Secretary shall prescribe the amount of financial assistance provided to a person under subsection (a), which may not exceed the amount specified in section 2173(e)(2) of title 10, United States Code, for each year of obligated service that a person agrees to serve in an agreement described in subsection (b)(2).

''(e) DURATION OF ASSISTANCE.—Financial assistance may be provided to a person under subsection (a) for not more than 5 consecutive academic years.

''(f) SUBSISTENCE ALLOWANCE.—

''(1) IN GENERAL.—A person who receives financial assistance under subsection (a) shall be entitled to a monthly subsistence allowance at a rate prescribed under paragraph (2) for the duration of the period for which the person receives such financial assistance.

''(2) DETERMINATION OF AMOUNT.—The Secretary shall prescribe monthly rates for subsistence allowance provided under paragraph (1), which shall be equal to the amount specified in section 2144(a) of title 10, United States Code.

''(g) INITIAL CLOTHING ALLOWANCE.—

''(1) TRAINING.—The Secretary may prescribe a sum which shall be credited to each person who receives financial assistance under subsection (a) to cover the cost of the person's initial clothing and equipment issue.

''(2) APPOINTMENT.—Upon completion of the program of education for which a person receives financial assistance under subsection (a) and acceptance of appointment in the commissioned officer corps of the Administration, the person may be issued a subsequent clothing allowance equivalent to that normally provided to a newly appointed officer.

''(h) TERMINATION OF FINANCIAL ASSISTANCE.—

''(1) IN GENERAL.—The Secretary shall terminate the assistance provided to a person under this section if—

''(A) the Secretary accepts a request by the person to be released from an agreement described in subsection (b)(2);

''(B) the misconduct of the person results in a failure to complete the period of active duty required under the agreement; or

''(C) the person fails to fulfill any term or condition of the agreement.

''(2) REIMBURSEMENT.—The Secretary may require a person who receives assistance described in subsection (c), (f), or (g) under an agreement entered into under subsection (b)(1)(C) to reimburse the Secretary in an amount that bears the same ratio to the total costs of the assistance provided to that person as the unserved portion of active duty bears to the total period of active duty the officer agreed to serve under the agreement.

''(3) WAIVER.—The Secretary may waive the service obligation of a person through an agreement entered into under subsection (b)(1)(C) if the person—

''(A) becomes unqualified to serve on active duty in the commissioned officer corps of the Administration because of a circumstance not within the control of that person; or

''(B) is—

''(i) not physically qualified for appointment; and

''(ii) determined to be unqualified for service in the commissioned officer corps of the Administration because of a physical or medical condition that was not the result of the person's own misconduct or grossly negligent conduct.

''(4) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to reimburse the Secretary imposed under paragraph (2) is, for all purposes, a debt owed to the United States.

''(5) DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11, United States Code, that is entered less than 5 years

after the termination of a written agreement entered into under subsection (b)(1)(C) does not discharge the person signing the agreement from a debt arising under such agreement or under paragraph (2).

''(i) REGULATIONS.—The Secretary may promulgate such regulations and orders as the Secretary considers appropriate to carry out this section.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 732(c), is further amended by inserting after the item relating to section 268 the following:

''Sec. 269. Student pre-commissioning education assistance program.''.

SEC. 734. LIMITATION ON EDUCATIONAL ASSISTANCE.

(a) IN GENERAL.—Each fiscal year, beginning with fiscal year 2013, the Secretary of Commerce shall ensure that the total amount expended by the Secretary under section 267 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (as added by section 731(a)), section 268 of such Act (as added by section 732(a)), and section 269 of such Act (as added by section 733(a)) does not exceed the amount by which—

(1) the total amount the Secretary would pay in that fiscal year to officer candidates under section 203(f)(1) of title 37, United States Code (as added by section 756(d)), if such section entitled officers candidates to pay at monthly rates equal to the basic pay of a commissioned officer in the pay grade O–1 with less than 2 years of service; exceeds

(2) the total amount the Secretary actually pays in that fiscal year to officer candidates under section 203(f)(1) of such title (as so added).

(b) OFFICER CANDIDATE DEFINED.—In this section, the term ''officer candidate'' has the meaning given the term in section 212 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3002), as added by section 756(c).

SEC. 735. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 10, UNITED STATES CODE, AND EXTENSION OF CERTAIN AUTHORITIES APPLICABLE TO MEMBERS OF THE ARMED FORCES TO COMMISSIONED OFFICER CORPS.

(a) APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 10.—Section 261(a) (33 U.S.C. 3071(a)) is amended—

(1) by redesignating paragraphs (13) through (16) as paragraphs (20) through (23), respectively;

(2) by redesignating paragraphs (7) through (12) as paragraphs (12) through (17), respectively;

(3) by redesignating paragraphs (4) through (6) as paragraphs (8) through (10), respectively;

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

''(4) Section 771, relating to unauthorized wearing of uniforms.

''(5) Section 774, relating to wearing religious apparel while in uniform.

''(6) Section 982, relating to service on State and local juries.

''(7) Section 1031, relating to administration of oaths.'';

(5) by inserting after paragraph (10), as redesignated, the following:

''(11) Chapter 58, relating to the Benefits and Services for members being separated or recently separated.''; and

(6) by inserting after paragraph (17), as redesignated, the following:

''(18) Subchapter I of chapter 88, relating to Military Family Programs.

''(19) Section 2005, relating to advanced education assistance, active duty agreements, and reimbursement requirements.''.

(b) EXTENSION OF CERTAIN AUTHORITIES.—

(1) NOTARIAL SERVICES.—Section 1044a of title 10, United States Code, is amended—

(A) in subsection (a)(1), by striking ''armed forces'' and inserting ''uniformed services''; and

(B) in subsection (b)(4), by striking ''armed forces'' both places it appears and inserting ''uniformed services''.

(2) ACCEPTANCE OF VOLUNTARY SERVICES FOR PROGRAMS SERVING MEMBERS AND THEIR FAMILIES.—Section 1588 of such title is amended—

(A) in subsection (a)(3), by striking ''armed forces'' and inserting ''uniformed services''; and

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

''(g) SECRETARY CONCERNED FOR ACCEPTANCE OF SERVICES FOR PROGRAMS SERVING MEMBERS OF NOAA AND THEIR FAMILIES.—For purposes of the acceptance of services described in subsection (a)(3), the term 'Secretary concerned' in subsection (a) shall include the Secretary of Commerce with respect to members of the National Oceanic and Atmospheric Administration.''.

(3) CAPSTONE COURSE FOR NEWLY SELECTED FLAG OFFICERS.—Section 2153 of such title is amended—

(A) in subsection (a)—

(i) by inserting ''or the commissioned corps of the National Oceanic and Atmospheric Administration'' after ''in the case of the Navy''; and

(ii) by striking ''other armed forces'' and inserting ''other uniformed services''; and

(B) in subsection (b)(1), by inserting ''or the Secretary of Commerce, as applicable,'' after ''the Secretary of Defense''.

SEC. 736. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 37, UNITED STATES CODE.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.) is amended by inserting after section 261 the following:

''SEC. 261A. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 37, UNITED STATES CODE.

''(a) PROVISIONS MADE APPLICABLE TO COMMISSIONED OFFICER CORPS.—The provisions of law applicable to the Armed Forces under the following provisions of title 37, United States Code, shall apply to the commissioned officer corps of the Administration:

''(1) Section 324, relating to accession bonuses for new officers in critical skills.

''(2) Section 403(f)(3), relating to prescribing regulations defining the terms 'field duty' and 'sea duty'.

''(3) Section 403(l), relating to temporary continuation of housing allowance for dependents of members dying on active duty.

''(4) Section 414(a)(2), relating to personal money allowance while serving as Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps.

''(5) Section 488, relating to allowances for recruiting expenses.

''(6) Section 495, relating to allowances for funeral honors duty.

''(b) REFERENCES.—The authority vested by title 37, United States Code, in the 'military departments', 'the Secretary concerned', or 'the Secretary of Defense' with respect to the provisions of law referred to in subsection (a) shall be exercised, with respect to the commissioned officer corps of the Administration, by the Secretary of Commerce or the Secretary's designee.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 261 the following:

''Sec. 261A. Applicability of certain provisions of title 37, United States Code.''.

SEC. 737. LEGION OF MERIT AWARD.

Section 1121 of title 10, United States Code, is amended by striking ''armed forces'' and inserting ''uniformed services''.

SEC. 738. PROHIBITION ON RETALIATORY PERSONNEL ACTIONS.

(a) IN GENERAL.—Subsection (a) of section 261 (33 U.S.C. 3071), as amended by section 735, is further amended—

(1) by redesignating paragraphs (8) through (23) as paragraphs (9) through (24), respectively; and

(2) by inserting after paragraph (7) the following:

''(8) Section 1034, relating to protected communications and prohibition of retaliatory personnel actions.''.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by adding at the end the following: ''For purposes of paragraph (8) of subsection (a), the term 'Inspector General' in section 1034 of such title 10 shall mean the Inspector General of the Department of Commerce.''.

(c) REGULATIONS.—Such section is further amended by adding at the end the following:

''(c) REGULATIONS REGARDING PROTECTED COMMUNICATIONS AND PROHIBITION OF RETALIATORY PERSONNEL ACTIONS.—The Secretary may promulgate regulations to carry out the application of section 1034 of title 10, United States Code, to the commissioned officer corps of the Administration, including by promulgating such administrative procedures for investigation and appeal within the commissioned officer corps as the Secretary considers appropriate.''.

SEC. 739. PENALTIES FOR WEARING UNIFORM WITHOUT AUTHORITY.

Section 702 of title 18, United States Code, is amended by striking ''Service or any'' and inserting ''Service, the commissioned officer corps of the National Oceanic and Atmospheric Administration, or any''.

SEC. 740. APPLICATION OF CERTAIN PROVISIONS OF COMPETITIVE SERVICE LAW.

Section 3304(f) of title 5, United States Code, is amended—

(1) in paragraph (1), by inserting ''and members of the commissioned officer corps of the National Oceanic and Atmospheric Administration (or its predecessor organization the Coast and Geodetic Survey) separated from such uniformed service'' after ''separated from the armed forces'';

(2) in paragraph (2), by striking ''or veteran'' and inserting '', veteran, or member''; and

(3) in paragraph (4), by inserting ''and members of the commissioned officer corps of the National Oceanic and Atmospheric Administration (or its predecessor organization the Coast and Geodetic Survey) separated from such uniformed service'' after ''separated from the armed forces''.

SEC. 741. EMPLOYMENT AND REEMPLOYMENT RIGHTS.

Section 4303(16) of title 38, United States Code, is amended by inserting ''the commissioned officer corps of the National Oceanic and Atmospheric Administration,'' after ''Public Health Service,''.

SEC. 742. TREATMENT OF COMMISSION IN COMMISSIONED OFFICER CORPS FOR PURPOSES OF CERTAIN HIRING DECISIONS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by this subtitle, is further amended by adding at the end the following:

''SEC. 269A. TREATMENT OF COMMISSION IN COMMISSIONED OFFICER CORPS AS EMPLOYMENT IN ADMINISTRATION FOR PURPOSES OF CERTAIN HIRING DECISIONS.

''(a) IN GENERAL.—In any case in which the Secretary accepts an application for a position of employment with the Administration and limits consideration of applications for such position to applications submitted by individuals serving in a career or career-conditional position in the competitive service within the Administration, the Secretary shall deem an officer who has served as an officer in the commissioned officer corps for at least 3 years to be serving in a career or career-conditional position in the competitive service within the Administration for purposes of such limitation.

''(b) CAREER APPOINTMENTS.—If the Secretary selects an application submitted by an officer described in subsection (a) for a position described in such subsection, the Secretary shall give such officer a career or career-conditional appointment in the competitive service, as appropriate.

''(c) COMPETITIVE SERVICE DEFINED.—In this section, the term 'competitive service' has the meaning given the term in section 2102 of title 5, United States Code.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 269, as added by this subtitle, the following:

''Sec. 269A. Treatment of commission in commissioned officer corps as employment in Administration for purposes of certain hiring decisions.''.

SEC. 743. DIRECT HIRE AUTHORITY.

(a) IN GENERAL.—The head of a Federal agency may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of such title, a qualified candidate described subsection (b) directly to a position in the agency for which the candidate meets qualification standards of the Office of Personnel Management.

(b) CANDIDATES DESCRIBED.—A candidate described in this subsection is a current or former member of the commissioned officer corps of the National Oceanic and Atmospheric Administration who—

(1) fulfilled his or her obligated service requirement under section 216 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, as added by section 724;

(2) if no longer a member of the commissioned officer corps of the Administration, was not discharged or released therefrom as part of a disciplinary action; and

(3) has been separated or released from service in the commissioned officer corps of the Administration for a period of not more than 5 years.

(c) EFFECTIVE DATE.—This section shall apply with respect to appointments made in fiscal year 2016 and in each fiscal year thereafter.

PART III—APPOINTMENTS AND PROMOTION OF OFFICERS

SEC. 751. APPOINTMENTS.

(a) ORIGINAL APPOINTMENTS.—

(1) IN GENERAL.—Section 221 (33 U.S.C. 3021) is amended to read as follows:

''SEC. 221. ORIGINAL APPOINTMENTS AND REAPPOINTMENTS.

''(a) ORIGINAL APPOINTMENTS.—

''(1) GRADES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an original appointment of an officer may be made in such grades as may be appropriate for—

''(i) the qualification, experience, and length of service of the appointee; and

''(ii) the commissioned officer corps of the Administration.

''(B) APPOINTMENT OF OFFICER CANDIDATES.—

''(i) LIMITATION ON GRADE.—An original appointment of an officer candidate, upon graduation from the basic officer training program of the commissioned officer corps of the Administration, may not be made in any other grade than ensign.

''(ii) RANK.—Officer candidates receiving appointments as ensigns upon graduation from basic officer training program shall take rank according to their proficiency as shown by the order of their merit at date of graduation.

''(2) SOURCE OF APPOINTMENTS.—An original appointment may be made from among the following:

''(A) Graduates of the basic officer training program of the commissioned officer corps of the Administration.

''(B) Graduates of the military service academies of the United States who otherwise meet the academic standards for enrollment in the training program described in subparagraph (A).

''(C) Graduates of the maritime academies of the States who—

''(i) otherwise meet the academic standards for enrollment in the training program described in subparagraph (A);

''(ii) completed at least 3 years of regimented training while at a maritime academy of a State; and

''(iii) obtained an unlimited tonnage or unlimited horsepower Merchant Mariner Credential from the United States Coast Guard.

''(D) Licensed officers of the United States merchant marine who have served 2 or more years aboard a vessel of the United States in the capacity of a licensed officer, who otherwise meet the academic standards for enrollment in the training program described in subparagraph (A).

''(3) DEFINITIONS.—In this subsection:

''(A) MARITIME ACADEMIES OF THE STATES.—The term 'maritime academies of the States' means the following:

''(i) California Maritime Academy, Vallejo, California.

''(ii) Great Lakes Maritime Academy, Traverse City, Michigan.

''(iii) Maine Maritime Academy, Castine, Maine.

''(iv) Massachusetts Maritime Academy, Buzzards Bay, Massachusetts.

''(v) State University of New York Maritime College, Fort Schuyler, New York.

''(vi) Texas A&M Maritime Academy, Galveston, Texas.

''(B) MILITARY SERVICE ACADEMIES OF THE UNITED STATES.—The term 'military service academies of the United States' means the following:

''(i) The United States Military Academy, West Point, New York.

''(ii) The United States Naval Academy, Annapolis, Maryland.

''(iii) The United States Air Force Academy, Colorado Springs, Colorado.

''(iv) The United States Coast Guard Academy, New London, Connecticut.

''(v) The United States Merchant Marine Academy, Kings Point, New York.

''(b) REAPPOINTMENT.—

''(1) IN GENERAL.—Except as provided in paragraph (2), an individual who previously served in the commissioned officer corps of the Administration may be appointed by the Secretary to the grade the individual held prior to separation.

''(2) REAPPOINTMENTS TO HIGHER GRADES.—An appointment under paragraph (1) to a position of importance and responsibility designated under section 228 may only be made by the President.

''(c) QUALIFICATIONS.—An appointment under subsection (a) or (b) may not be given to an individual until the individual's mental, moral, physical, and professional fitness to perform the duties of an officer has been established under such regulations as the Secretary shall prescribe.

''(d) PRECEDENCE OF APPOINTEES.—Appointees under this section shall take precedence in the grade to which appointed in accordance with the dates of their commissions as commissioned officers in such grade. Appointees whose dates of commission are the same shall take precedence with each other as the Secretary shall determine.

''(e) INTER-SERVICE TRANSFERS.—For inter-service transfers (as described in the Department of Defense Directive 1300.4 (dated December 27, 2006)) the Secretary shall—

''(1) coordinate with the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating to promote and streamline inter-service transfers;

''(2) give preference to such inter-service transfers for recruitment purposes as determined appropriate by the Secretary; and

''(3) reappoint such inter-service transfers to the equivalent grade in the commissioned officer corps.''.

(2) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by striking the item relating to section 221 and inserting the following:

''Sec. 221. Original appointments and reappointments.''.

SEC. 752. PERSONNEL BOARDS.

Section 222 (33 U.S.C. 3022) is amended to read as follows:

''SEC. 222. PERSONNEL BOARDS.

''(a) CONVENING.—Not less frequently than once each year and at such other times as the Secretary determines necessary, the Secretary shall convene a personnel board.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—A board convened under subsection (a) shall consist of 5 or more officers who are serving in or above the permanent grade of the officers under consideration by the board.

''(2) RETIRED OFFICERS.—Officers on the retired list may be recalled to serve on such personnel boards as the Secretary considers necessary.

''(3) NO MEMBERSHIP ON 2 SUCCESSIVE BOARDS.—No officer may be a member of 2 successive personnel boards convened to consider officers of the same grade for promotion or separation.

''(c) DUTIES.—Each personnel board shall—

''(1) recommend to the Secretary such changes as may be necessary to correct any erroneous position on the lineal list that was caused by administrative error; and

''(2) make selections and recommendations to the Secretary and the President for the appointment, promotion, involuntary separation, continuation, and involuntary retirement of officers in the commissioned officer corps of the Administration as prescribed in this title.

''(d) ACTION ON RECOMMENDATIONS NOT ACCEPTABLE.—If any recommendation by a board convened under subsection (a) is not accepted by the Secretary or the President, the board shall make such further recommendations as the Secretary or the President considers appropriate.''.

SEC. 753. DELEGATION OF AUTHORITY.

Section 226 (33 U.S.C. 3026) is amended—

(1) by striking ''Appointments'' and inserting the following:

''(a) IN GENERAL.—Appointments''; and

(2) by adding at the end the following:

''(b) DELEGATION OF APPOINTMENT AUTHORITY.—If the President delegates authority to the Secretary to make appointments under this section, the President shall, during a period in which the position of the Secretary is vacant, delegate such authority to the Deputy Secretary of Commerce or the Under Secretary for Oceans and Atmosphere during such period.''.

SEC. 754. ASSISTANT ADMINISTRATOR OF THE OFFICE OF MARINE AND AVIATION OPERATIONS.

Section 228(c) (33 U.S.C. 3028(c)) is amended—

(1) in the fourth sentence, by striking ''Director'' and inserting ''Assistant Administrator''; and

(2) in the heading, by inserting ''ASSISTANT ADMINISTRATOR OF THE'' before ''OFFICE''.

SEC. 755. TEMPORARY APPOINTMENTS.

(a) IN GENERAL.—Section 229 (33 U.S.C. 3029) is amended to read as follows:

''SEC. 229. TEMPORARY APPOINTMENTS.

''(a) APPOINTMENTS BY PRESIDENT.—Temporary appointments in the grade of ensign, lieutenant junior grade, or lieutenant may be made by the President.

''(b) TERMINATION.—A temporary appointment to a position under subsection (a) shall terminate upon approval of a permanent appointment for such position made by the President.

''(c) ORDER OF PRECEDENCE.—Appointees under subsection (a) shall take precedence in the grade to which appointed in accordance with the dates of their appointments as officers in such grade. The order of precedence of appointees who are appointed on the same date shall be determined by the Secretary.

''(d) ANY ONE GRADE.—When determined by the Secretary to be in the best interest of the commissioned officer corps, officers in any permanent grade may be temporarily promoted one grade by the President. Any such temporary promotion terminates upon the transfer of the officer to a new assignment.

''(e) DELEGATION OF APPOINTMENT AUTHORITY.—If the President delegates authority to the Secretary to make appointments under this section, the President shall, during a period in which the position of the Secretary is vacant, delegate such authority to the Deputy Secretary of Commerce or the Under Secretary for Oceans and Atmosphere during such period.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by striking the item relating to section 229 and inserting the following:

''Sec. 229. Temporary appointments.''.

SEC. 756. OFFICER CANDIDATES.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.) is amended by adding at the end the following:

''SEC. 234. OFFICER CANDIDATES.

''(a) DETERMINATION OF NUMBER.—The Secretary shall determine the number of appointments of officer candidates.

''(b) APPOINTMENT.—Appointment of officer candidates shall be made under regulations which the Secretary shall prescribe, including regulations with respect to determining age limits, methods of selection of officer candidates, term of service as an officer candidate before graduation from the program, and all other matters affecting such appointment.

''(c) DISMISSAL.—The Secretary may dismiss from the basic officer training program of the Administration any officer candidate who, during the officer candidate's term as an officer candidate, the Secretary considers unsatisfactory in either academics or conduct, or not adapted for a career in the commissioned officer corps of the Administration. Officer candidates shall be subject to rules governing discipline prescribed by the Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps.

''(d) AGREEMENT.—

''(1) IN GENERAL.—Each officer candidate shall sign an agreement with the Secretary in accordance with section 216(a)(2) regarding the officer candidate's term of service in the commissioned officer corps of the Administration.

''(2) ELEMENTS.—An agreement signed by an officer candidate under paragraph (1) shall provide that the officer candidate agrees to the following:

''(A) That the officer candidate will complete the course of instruction at the basic officer training program of the Administration.

''(B) That upon graduation from the such program, the officer candidate—

''(i) will accept an appointment, if tendered, as an officer; and

''(ii) will serve on active duty for at least 4 years immediately after such appointment.

''(e) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section. Such regulations shall include—

''(1) standards for determining what constitutes a breach of an agreement signed under such subsection (d)(1); and

''(2) procedures for determining whether such a breach has occurred.

''(f) REPAYMENT.—An officer candidate or former officer candidate who does not fulfill the terms of the obligation to serve as specified under section (d) shall be subject to the repayment provisions of section 216(b).''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 233 the following:

''Sec. 234. Officer candidates.''.

(c) OFFICER CANDIDATE DEFINED.—Section 212(b) (33 U.S.C. 3002(b)) is amended—

(1) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively; and

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

''(4) OFFICER CANDIDATE.—The term 'officer candidate' means an individual who is enrolled in the basic officer training program of the Administration and is under consideration for appointment as an officer under section 221(a)(2)(A).''.

(d) PAY FOR OFFICER CANDIDATES.—Section 203 of title 37, United States Code, is amended by adding at the end the following:

''(f)(1) An officer candidate enrolled in the basic officer training program of the commissioned officer corps of the National Oceanic and Atmospheric Administration is entitled, while participating in such program, to monthly officer candidate pay at monthly rate equal to the basic pay of an enlisted member in the pay grade E–5 with less than 2 years service.

''(2) An individual who graduates from such program shall receive credit for the time spent participating in such program as if such time were time served while on active duty as a commissioned officer. If the individual does not graduate from such program, such time shall not be considered creditable for active duty or pay.''.

SEC. 757. PROCUREMENT OF PERSONNEL.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.), as amended by section 756(a), is further amended by adding at the end the following:

''SEC. 235. PROCUREMENT OF PERSONNEL.

''The Secretary may make such expenditures as the Secretary considers necessary in order to obtain recruits for the commissioned officer corps of the Administration, including advertising.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 756(b), is further amended by inserting after the item relating to section 234 the following:

''235. Procurement of personnel.''.

PART IV—SEPARATION AND RETIREMENT OF OFFICERS

SEC. 761. INVOLUNTARY RETIREMENT OR SEPARATION.

Section 241 (33 U.S.C. 3041) is amended by adding at the end the following:

''(d) DEFERMENT OF RETIREMENT OR SEPARATION FOR MEDICAL REASONS.—

''(1) IN GENERAL.—If the Secretary determines that the evaluation of the medical condition of an officer requires hospitalization or medical observation that cannot be completed with confidence in a manner consistent with the officer's well being before the date on which the officer would otherwise be required to retire or be separated under this section, the Secretary may defer the retirement or separation of the officer.

''(2) CONSENT REQUIRED.—A deferment may only be made with the written consent of the officer involved. If the officer does not provide written consent to the deferment, the officer shall be retired or separated as scheduled.

''(3) LIMITATION.—A deferral of retirement or separation under this subsection may not extend for more than 30 days after completion of the evaluation requiring hospitalization or medical observation.''.

SEC. 762. SEPARATION PAY.

Section 242 (33 U.S.C. 3042) is amended by adding at the end the following:

''(d) EXCEPTION.—An officer discharged for twice failing selection for promotion to the next higher grade is not entitled to separation pay under this section if the officer—

''(1) expresses a desire not to be selected for promotion; or

''(2) requests removal from the list of selectees.''.

Subtitle C—Hydrographic Services

SEC. 771. REAUTHORIZATION OF HYDROGRAPHIC SERVICES IMPROVEMENT ACT OF 1998.

(a) REAUTHORIZATIONS.—Section 306 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892d) is amended—

(1) in the matter before paragraph (1), by striking ''There are'' and inserting the following:

''(a) IN GENERAL.—There are'';

(2) in subsection (a) (as designated by paragraph (1))—

(A) in paragraph (1), by striking ''surveys—'' and all that follows through the end of the paragraph and inserting ''surveys, $70,814,000 for each of fiscal years 2016 through 2020.'';

(B) in paragraph (2), by striking ''vessels—'' and all that follows through the end of the paragraph and inserting ''vessels, $25,000,000 for each of fiscal years 2016 through 2020.'';

(C) in paragraph (3), by striking ''Administration—'' and all that follows through the end of the paragraph and inserting ''Administration, $29,932,000 for each of fiscal years 2016 through 2020.'';

(D) in paragraph (4), by striking ''title—'' and all that follows through the end of the paragraph and inserting ''title, $26,800,000 for each of fiscal years 2016 through 2020.''; and

(E) in paragraph (5), by striking ''title—'' and all that follows through the end of the paragraph and inserting ''title, $30,564,000 for each of fiscal years 2016 through 2020.''; and

(3) by adding at the end the following:

''(b) ARCTIC PROGRAMS.—Of the amount authorized by this section for each fiscal year—

''(1) $10,000,000 is authorized for use—

''(A) to acquire hydrographic data;

''(B) to provide hydrographic services;

''(C) to conduct coastal change analyses necessary to ensure safe navigation;

''(D) to improve the management of coastal change in the Arctic; and

''(E) to reduce risks of harm to Alaska Native subsistence and coastal communities associated with increased international maritime traffic; and

''(2) $2,000,000 is authorized for use to acquire hydrographic data and provide hydrographic services in the Arctic necessary to delineate the United States extended Continental Shelf.''.

(b) LIMITATION ON ADMINISTRATIVE EXPENSES FOR SURVEYS.—Section 306 of such Act (33 U.S.C. 892d) is further amended by adding at the end the following:

''(c) LIMITATION ON ADMINISTRATIVE EXPENSES FOR SURVEYS.—Of amounts authorized by this section for each fiscal year for contract hydrographic surveys, not more than 5 percent is authorized for administrative costs associated with contract management.''.

SA 4941. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This Act shall take effect 2 days after the date of enactment.

SA 4942. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This Act shall take effect 3 days after the date of enactment.

SA 4943. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This Act shall take effect 4 days after the date of enactment.

SA 4944. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

Strike ''2'' and insert ''3''.

SA 4945. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

Strike ''3 days'' and insert ''4 days''.

SA 4946. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill S. 764, to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; which was ordered to lie on the table; as follows:

Strike ''4'' and insert ''5''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SASSE. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 29, 2016, at 10 a.m., in room SR–253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. SASSE. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on June 29, 2016, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building to conduct a hearing entitled ''ESSA Implementation: Update from the U.S. Secretary of Education on Proposed Regulations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SASSE. 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 29, 2016, at 10 a.m., to conduct a hearing entitled ''Preparing for and Protecting the Nation from Zika.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. SASSE. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on June 29, 2016, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. SASSE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 29, 2016, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Protecting Older Americans From Financial Exploitation.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. SASSE. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on June 29, 2016, at 10 a.m., in room SR–428A of the Russell Senate Office Building to conduct a hearing entitled ''America Without Entrepreneurs: The Consequences of Dwindling Startup Activity.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. SASSE. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on June 29, 2016, at 2:30 p.m. in room SR–418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SUPERFUND, WASTE MANAGEMENT, AND REGULATORY OVERSIGHT

Mr. SASSE. Mr. President, I ask unanimous consent that the Subcommittee on Superfund, Waste Management, and Regulatory Oversight of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on June 29, 2016, at 2:30 p.m. in room SD–406 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Oversight of U.S. Environmental Protection Agency Enforcement and Compliance Programs.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Ms. HEITKAMP. Mr. President, I ask unanimous consent that Kelsey Boe, an intern in my office, be granted floor privileges during the duration of today's session in the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 114–12

On Tuesday, June 28, 2016, the injunction of secrecy was removed from the following treaty transmitted to the Senate on June 28, 2016, by the President of the United States: Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro, Treaty Document No. 114–12.

The message of the President ordered to be printed is as follows:

To the Senate of the United States:

I transmit herewith, for Senate advice and consent to ratification, the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro. This Protocol was signed in Brussels on May 19, 2016, on behalf of the United States and the other Parties to the North Atlantic Treaty. Also transmitted for the information of the Senate is an overview of the Protocol by the Department of State. Full ratification of the Protocol by the United States and our allies will allow Montenegro to become a Party to the North

Atlantic Treaty and a member of the North Atlantic Treaty Organization (NATO).

Article 10 of the North Atlantic Treaty, which outlines NATO's Open Door policy, is part of the doctrinal foundation of the Alliance. Montenegro's accession to NATO will demonstrate to other countries in the Balkans and beyond that NATO's door remains open to nations that undertake the reforms necessary to meet NATO's requirements and contribute to the security of the Alliance, and is yet another milestone in advancing the EuroAtlantic integration of the Balkans. I am pleased that, with the advice and consent of the Senate, and the ratifications of this Protocol by our NATO allies, Montenegro can soon join us as a member of this great Alliance.

I ask the Senate to continue working with me in advancing a Europe whole, free, and at peace by providing its prompt advice and consent to ratification for this Protocol of Accession. My Administration stands ready to brief and assist you in your deliberations.

BARACK OBAMA.

THE WHITE HOUSE, *June 28, 2016*.

MEASURE READ THE FIRST TIME—S. 3110

Mr. SASSE. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 3110) to provide for reforms of the administration of the outer Continental Shelf of the United States, to provide for the development of geothermal, solar, and wind energy on public land, and for other purposes.

Mr. SASSE. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

RESOLUTIONS SUBMITTED TODAY

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 516, S. Res. 517, S. Res. 518, S. Res. 519.

There being no objection, the Senate proceeded to consider the resolutions.

S. RES. 516

Mr. ALEXANDER. Mr. President, Senator CORKER and I have come to the floor having submitted a resolution honoring the life and achievements of Pat Summitt, the former University of Tennessee basketball coach who died this week. She coached for 38 years and became the winningest coach—man or woman—in Division I history.

I had the privilege of going to the White House with Coach Summitt in April of 1989. I was president of the University of Tennessee at the time, and she had just won the national championship. President Bush, The first President Bush, recited the usual statistics about Pat Summitt's remarkable coaching career. The President said: ''And in 13 years she brought Tennessee to the final four 10 times, winning it twice.'' This was in 1989, a long time before she retired. ''Later on we're going down to that fountain over there that you all can see, to see if literally she can walk on water.''

That was what President Bush said of Pat Summitt.

So when it came time for Coach Summitt to speak—the winningest basketball coach in our country's Division I history—this is what she said:

Mr. President, we're honored and delighted to be here. I am extremely proud of our academic success. We have won two national championships in the last 3 years, but the most important statistic for our team and our program is the 100-percent graduation rate, of which we will hold our heads very proudly.

Pat Summitt did everything by the book, and she made sure her players did as well. She had some of the most remarkable athletes in any program in the country. One of those is Candace Parker, who is still playing in professional women's basketball. If I remember this right, there was finally a game when Candace got to play near her hometown in a Midwestern city. So the whole town turned out—all of her friends, all of her family. Everybody had come to see a young woman who was then the most celebrated women's basketball player in the country. But Candace Parker had missed a curfew the night before by a few minutes, and so Pat Summitt sat her on the bench for the first half while her family, her friends, and everybody had come to see her play watched. Everyone understood that's how Pat Summitt did things.

She began her career when she was 22. She was paid $250 a month for that. She was a graduate student at the University of Tennessee. For many, women's basketball consisted still of three women on one end of the court and three on the other. The NCAA didn't even sponsor a national championship game at that time. Pat really invented many aspects of the women's college game, and what she didn't invent she taught to the rest of us.

It will be hard for people outside Tennessee to appreciate how much she became a part of us. She literally taught us the game. She was so up-front and personal about it all. She introduced us to her players. She told us about their great abilities and successes. She told us about their failures and when they weren't living up to their potential. She invited us to go into her locker room at halftime and listen to her fiery halftime speeches. She made time for every single person who touched her. There are countless stories about that. But the best wanted to play for Pat Summitt because she was the best.

Tamika Catchings, still playing and retiring this year—one of the great players in women's college basketball—was the women's college basketball player of the year. She was in high school when Tennessee already had the best team and the best players, but Tamika wanted to go to Tennessee to play for Pat Summitt, to play with Chamique Holdsclaw because she wanted to be a part of the best team.

Tennesseans are very, very proud of Pat Summitt. We know that when the nation saw her, they might think a little better of us because she was one of us. She was a great friend, not just a friend of mine and our family, but thousands of Tennesseans.

Today, we honor her life. We honor that she lived that life by the book, that she taught so many young women how to live their lives by the book, that she brought out the best in so many of them and inspired the rest of us to think a little bigger for ourselves.

Four years ago at a young age, 60 years of age, suddenly she had Alzheimer's disease. She confronted that just as well, and set an example for the rest of us.

So for Pat Summitt, this is a day to honor a woman of style, a woman of substance, a farm girl who grew up to be the winningest coach in the country and who by her example and by her life brought out the best in her players and set an example for the rest of us.

Tennesseans are very, very proud of Pat Summitt. We know that when the Nation saw her, they might think a little better of us because she was one of us. She was a great friend—not just a friend of mine and our family but of thousands of Tennesseans. We honor her life. We honor that she lived her life by the book, that she taught so many young women how to live their lives by the book, that she brought out the best in so many of them and inspired the rest of us to maybe think a little bigger for ourselves as well.

Four years ago, at a young age—about 60, 59 years of age—suddenly she had Alzheimer's disease. She confronted that, as well, and she set an example for the rest of us in fighting through that. For Pat Summitt, this is a day to honor a woman of style, a woman of substance, a farm girl who grew up to be the winningest college coach in the country and who, by her example and by her life, brought out the best in her players and set an example for the rest of us.

I have joined Senator CORKER in submitting this resolution, which the Senate will adopt this evening.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I am so glad to join the senior Senator from our State, who set such an example in the Senate in recognizing and honoring Pat Summitt. Basketball has lost a legend, and Tennessee has lost one of its own beloved daughters. There is

perhaps no one who left with a more indelible mark on his or her profession than Pat. In her 38 years as head coach of the University of Tennessee Lady Volunteers, she amassed a historic record of achievement and blazed a trail for women across our country.

A farm girl from Henrietta, TN, Pat attended the University of Tennessee at Martin, earning a bachelor's degree and leading the women's basketball team to two national championship tournaments. Shortly after graduating, she accepted a position at the University of Tennessee in Knoxville as head coach of the women's basketball team at 22 years old. The rest, they say, is history.

In those early years, Pat washed the jerseys, drove the team van, and was paid $250 a month. Thirty-eight years later, she walked off the hardwood as the winningest NCAA Division I basketball coach in history, with 1,098 victories, 8 national championships, 32 combined Southeastern Conference titles, and zero losing seasons. If you asked Pat, there was only one number that she would point to: 161—161 Lady Vols who had the honor of wearing the orange and white over the span of her career. As she once wrote, ''I won 1,098 games, and eight national championships, and coached in four different decades. But what I see are not the numbers. I see their faces.''

Her influence on their lives was felt as much off the court as it was on it. Every player who completed her eligibility at the University of Tennessee under Pat Summitt graduated. That is remarkable—every single player in 38 years. Think about that. The impact she had on her players at the University of Tennessee, the Knoxville community, and the game of basketball will be felt for years to come.

In closing, as we look back on Pat's life, I will echo the words of my friend and former Tennessee football coach Phillip Fulmer, who said: ''Coach Summitt did not want a pity party. She said, 'If you're going to have one, I'm not coming.' ''

Today, I join all Tennesseans in celebrating her life—celebrating the victories, the titles, the relationships, and celebrating a life well-lived and a fight hard fought. I extend my thoughts and prayers to her son Tyler, the Lady Vol family, and all those who were touched by her truly remarkable life.

I yield the floor.

Ms. MIKULSKI. Mr. President, I want to add my voice of sadness and regret for the loss of Pat Summitt. I extend my deepest sympathy to her family, friends, and the entire Lady Vols community. Pat Summitt was a trailblazer for all American women. I am honored to be a cosponsor of Senators ALEXANDER and CORKER's resolution recognizing Coach Summitt's incredible and inspirational life.

America lost a true champion this week. It was not just that Pat Summitt was a competitor. It was that she was the competitor. Pat won eight NCAA championships, had 18 Final Four appearances, and won 84 percent of her games—more wins than any other woman or man basketball coach in NCAA history.

Like so many athletes, her love of basketball started when she was a young girl. Growing up in Tennessee, she was always playing basketball with her three older brothers in their family's barn house. Rather than discourage and end their daughter's interest, her parents moved their family to a school district that actually had a girl's high school basketball team. They showed how important support can be to a young girl with a dream.

Her passion only grew and followed her to college at the University of Tennessee at Martin. But she went without an athletic scholarship because women weren't offered them yet. Still, education had always been important in her family—she had never missed a day of school—and Pat graduated in 1974. Degree in hand, she was asked to be the assistant coach of Tennessee's women's team at the university's flagship campus in Knoxville. Then fate quickly took over, making her head coach the same year, at the age of 22.

Pat never took the easy road—it was never offered. Her starting salary as coach was $250, and she also taught classes, recruited players, and drove the team van to every away game—all while studying for a graduate degree. But to her, it was worth it for the game. It was worth it to teach her players and prove to the doubters and naysayers just what her Lady Vols could accomplish.

Pat was tough, there is no doubt about it. Her players recall her practices with pride. They also remember the sore muscles and pure exhaustion. But Pat knew nothing in life came easy, let alone winning.

Her determined outlook comes from her father, who used to remind her, ''It's not done till it's done right.'' Well, Pat certainly did something right. In 1976, her Lady Vols made it to the Final Four. At the same time, Pat overcame a knee injury to play for the U.S. Women's Olympic basketball team and won a silver medal.

Neither incredible finish satisfied her. She wasn't done yet. Eight years later, she coached the U.S. Women's Basketball Team and won the gold. Three years after that, she led Tennessee to a national championship—the first of the eight she would win.

But Pat knew success had to come on and off the court. That was why she made all her players sit in the first three rows in every class. Unexcused absences were not allowed. Again, she got it right, as all of her players who finished athletic eligibility also graduated with a degree—more than 100 women athletes in total.

Education was part of basketball, too. To Pat, the game wasn't just a game. It was a way to learn life's lessons, to teach young women what they can accomplish with hard work, determination, and belief in yourself

While she was often a tough coach, she was always a source of encouragement. She once wrote to a player starting her first game, ''Winning is fun, sure. But winning is not the point. Wanting to win is the point. Not giving up is the point. Never letting up is the point . . . The secret of the game is in doing your best. To persist and endure, 'to strive, to seek, to find, and not to yield.' ''

Pat was a living legend that dedicated herself to the game and to the women who played the game. She was a fighter, an Olympian, a Medal of Freedom recipient, a mother to her son, Tyler, and an educator and role model to generations of young women.

She faced stereotypes, skepticism, and hurdles. She persisted, she overcame, and she inspired others to do the same.

We will all remember and miss Pat Summitt because she always did her best, she won, and she led so many others to victory with her.

Mr. SASSE. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

MARITIME ADMINISTRATION AUTHORIZATION AND ENHANCEMENT ACT FOR FISCAL YEAR 2017

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 517, S. 2829.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2829) to amend and enhance certain maritime programs of the Department of Transportation, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Maritime Administration Authorization and Enhancement Act for Fiscal Year 2017''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—MARITIME ADMINISTRATION AUTHORIZATION

SEC. 101. AUTHORIZATION OF THE MARITIME ADMINISTRATION.

There are authorized to be appropriated to the Department of Transportation for fiscal year 2017, to be available without fiscal year limitation if so provided in appropriations Acts, for programs associated with maintaining the United States merchant marine, the following amounts:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $99,902,000, of which—

(A) $74,851,000 shall be for Academy operations; and

(B) $25,051,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, $29,550,000, of which—

(A) $2,400,000 shall remain available until September 30, 2018, for the Student Incentive Program;

(B) $3,000,000 shall remain available until expended for direct payments to such academies;

(C) $22,000,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels;

(D) $1,800,000 shall remain available until expended for training ship fuel assistance; and

(E) $350,000 shall remain available until expended for expenses to improve the monitoring of the service obligations of graduates.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, $6,000,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, $57,142,000.

(5) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $20,000,000, which shall remain available until expended.

(6) For the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program authorized by chapter 537 of title 46, United States Code, $3,000,000, which shall remain available until expended for administrative expenses of the program.

SEC. 102. MARITIME ADMINISTRATION AUTHORIZATION REQUEST.

Section 109 of title 49, United States Code, is amended by adding at the end the following:

''(k) SUBMISSION OF ANNUAL MARITIME ADMINISTRATION AUTHORIZATION REQUEST.—

''(1) IN GENERAL.—Not later than 30 days after the date on which the President submits to Congress a budget for a fiscal year pursuant to section 1105 of title 31, the Maritime Administrator shall submit a Maritime Administration authorization request with respect to such fiscal year to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(2) DEFINED TERM.—In this subsection, the term 'Maritime Administration authorization request' means a proposal for legislation that, with respect to the Maritime Administration for the relevant fiscal year—

''(A) recommends authorizations of appropriations for that fiscal year; and

''(B) addresses any other matter that the Maritime Administrator determines is appropriate for inclusion in a Maritime Administration authorization bill.''.

TITLE II—PREVENTION OF SEXUAL HARASSMENT AND ASSAULT AT THE UNITED STATES MERCHANT MARINE ACADEMY

SEC. 201. ACTIONS TO ADDRESS SEXUAL HARASSMENT AND SEXUAL ASSAULT AT THE UNITED STATES MERCHANT MARINE ACADEMY.

(a) POLICY.—Chapter 513 of title 46, United States Code, is amended by adding at the end the following:

''§ 51318. Policy on sexual harassment and sexual assault

''(a) REQUIRED POLICY.—

''(1) IN GENERAL.—The Secretary of Transportation shall direct the Superintendent of the United States Merchant Marine Academy to prescribe a policy on sexual harassment and sexual assault applicable to the cadets and other personnel of the Academy.

''(2) MATTERS TO BE SPECIFIED IN POLICY.—The policy on sexual harassment and sexual assault prescribed under this subsection shall include—

''(A) a program to promote awareness of the incidence of rape, acquaintance rape, and other sexual offenses of a criminal nature that involve cadets or other Academy personnel;

''(B) procedures that a cadet should follow in the case of an occurrence of sexual harassment or sexual assault, including—

''(i) specifying the person or persons to whom an alleged occurrence of sexual harassment or sexual assault should be reported by a cadet and the options for confidential reporting;

''(ii) specifying any other person whom the victim should contact; and

''(iii) procedures on the preservation of evidence potentially necessary for proof of criminal sexual assault;

''(C) a procedure for disciplinary action in cases of alleged criminal sexual assault involving a cadet or other Academy personnel;

''(D) any other sanction authorized to be imposed in a substantiated case of sexual harassment or sexual assault involving a cadet or other Academy personnel in rape, acquaintance rape, or any other criminal sexual offense, whether forcible or nonforcible; and

''(E) required training on the policy for all cadets and other Academy personnel, including the specific training required for personnel who process allegations of sexual harassment or sexual assault involving Academy personnel.

''(3) AVAILABILITY OF POLICY.—The Secretary shall ensure that the policy developed under this subsection is available to—

''(A) all cadets and employees of the Academy; and

''(B) the public.

''(4) CONSULTATION AND ASSISTANCE.—In developing the policy under this subsection, the Secretary may consult or receive assistance from such Federal, State, local, and national organizations and subject matter experts as the Secretary considers appropriate.

''(b) DEVELOPMENT PROGRAM.—

''(1) IN GENERAL.—The Secretary of Transportation shall ensure that the development program of the United States Merchant Marine Academy includes a section that—

''(A) describes the relationship between honor, respect, and character development and the prevention of sexual harassment and sexual assault at the Academy; and

''(B) includes a brief history of the problem of sexual harassment and sexual assault in the merchant marine, in the Armed Forces, and at the Academy; and

''(C) includes information relating to reporting sexual harassment and sexual assault, victims' rights, and dismissal for offenders.

''(2) TRAINING.—The Superintendent of the Academy shall ensure that all cadets receive the training described in paragraph (1)—

''(A) not later than 7 days after their initial arrival at the Academy; and

''(B) biannually thereafter until they graduate or leave the Academy.

''(c) ANNUAL ASSESSMENT.—

''(1) IN GENERAL.—The Secretary of Transportation, in cooperation with the Superintendent of the Academy, shall conduct an assessment at the Academy during each Academy program year to determine the effectiveness of the policies, procedures, and training of the Academy with respect to sexual harassment and sexual assault involving cadets or other Academy personnel.

''(2) BIENNIAL SURVEY.—For each assessment of the Academy under paragraph (1) during an Academy program year that begins in an odd-numbered calendar year, the Secretary shall conduct a survey of cadets and other Academy personnel—

''(A) to measure—

''(i) the incidence, during that program year, of sexual harassment and sexual assault events, on or off the Academy campus, that have been reported to officials of the Academy; and

''(ii) the incidence, during that program year, of sexual harassment and sexual assault events, on or off the Academy campus, that have not been reported to officials of the Academy; and

''(B) to assess the perceptions of cadets and other Academy personnel on—

''(i) the policies, procedures, and training on sexual harassment and sexual assault involving cadets or Academy personnel;

''(ii) the enforcement of the policies described in clause (i);

''(iii) the incidence of sexual harassment and sexual assault involving cadets or Academy personnel; and

''(iv) any other issues relating to sexual harassment and sexual assault involving cadets or Academy personnel.

''(3) FOCUS GROUPS FOR YEARS WHEN SURVEY NOT REQUIRED.—In any year in which the Secretary of Transportation is not required to conduct the survey described in paragraph (2), the Secretary shall conduct focus groups at the Academy for the purposes of ascertaining information relating to sexual assault and sexual harassment issues at the Academy.

''(d) ANNUAL REPORT.—

''(1) IN GENERAL.—The Superintendent of the Academy shall submit a report to the Secretary of Transportation that provides information about sexual harassment and sexual assault involving cadets or other personnel at the Academy for each Academy program year.

''(2) CONTENTS.—Each report submitted under paragraph (1) shall include, for the Academy program year covered by the report—

''(A) the number of sexual assaults, rapes, and other sexual offenses involving cadets or other Academy personnel that have been reported to Academy officials;

''(B) the number of the reported cases described in subparagraph (A) that have been substantiated;

''(C) the policies, procedures, and training implemented by the Superintendent and the leadership of the Academy in response to sexual harassment and sexual assault involving cadets or other Academy personnel; and

''(D) a plan for the actions that will be taken in the following Academy program year regarding prevention of, and response to, sexual harassment and sexual assault involving cadets or other Academy personnel.

''(3) SURVEY AND FOCUS GROUP RESULTS.—

''(A) SURVEY RESULTS.—Each report under paragraph (1) for an Academy program year that begins in an odd-numbered calendar year shall include the results of the survey conducted in that program year under subsection (c)(2).

''(B) FOCUS GROUP RESULTS.—Each report under paragraph (1) for an Academy program year in which the Secretary of Transportation is not required to conduct the survey described (c)(2) shall include the results of the focus group conducted in that program year under subsection (c)(3).

''(4) REPORTING REQUIREMENT.—

''(A) BY THE SUPERINTENDENT.—For each incident of sexual harassment or sexual assault reported to the Superintendent under this subsection, the Superintendent shall provide the Secretary of Transportation and the Board of Visitors of the Academy with a report that includes—

''(i) the facts surrounding the incident, except for any details that would reveal the identities of the people involved; and

''(ii) the Academy's response to the incident.

''(B) BY THE SECRETARY.—The Secretary shall submit a copy of each report received under subparagraph (A) and the Secretary's comments on the report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 513 of title 46, United States Code, is amended by adding at the end the following:

''51318. Policy on sexual harassment and sexual assault.''.

SEC. 202. SEXUAL ASSAULT RESPONSE COORDINATORS AND SEXUAL ASSAULT VICTIM ADVOCATES.

(a) COORDINATORS AND ADVOCATES.—Chapter 513 of title 46, United States Code, as amended by section 201, is further amended by adding at the end the following:

''§ 51319. Sexual assault response coordinators and sexual assault victim advocates

''(a) SEXUAL ASSAULT RESPONSE COORDINATORS.—The United States Merchant Marine Academy shall employ or contract with at least 1 full-time sexual assault response coordinator who shall reside on or near the Academy. The Secretary of Transportation may assign additional full-time or part-time sexual assault response coordinators at the Academy as may be necessary.

''(b) VOLUNTEER SEXUAL ASSAULT VICTIM ADVOCATES.—

''(1) IN GENERAL.—The Secretary of Transportation, acting through the Superintendent of the United States Merchant Marine Academy, shall designate 1 or more permanent employees who volunteer to serve as advocates for victims of sexual assaults involving—

''(A) cadets of the Academy; or

''(B) individuals who work with or conduct business on behalf of the Academy.

''(2) TRAINING; OTHER DUTIES.—Each victim advocate designated under this subsection shall—

''(A) have or receive training in matters relating to sexual assault and the comprehensive policy developed under section 51318 of title 46, United States Code, as added by section 201; and

''(B) serve as a victim advocate voluntarily, in addition to the individual's other duties as an employee of the Academy.

''(3) PRIMARY DUTIES.—While performing the duties of a victim advocate under this subsection, a designated employee shall—

''(A) support victims of sexual assault by informing them of the rights and resources available to them as victims;

''(B) identify additional resources to ensure the safety of victims of sexual assault; and

''(C) connect victims of sexual assault to an Academy sexual assault response coordinator, or full-time or part-time victim advocate, who shall act as a companion in navigating investigative, medical, mental and emotional health, and recovery processes relating to sexual assault.

''(4) COMPANION.—At least 1 victim advocate designated under this subsection, while performing the duties of a victim advocate, shall act as a companion in navigating investigative, medical, mental and emotional health, and recovery processes relating to sexual assault.

''(5) HOTLINE.—The Secretary shall establish a 24-hour hotline through which the victim of a sexual assault can receive victim support services.

''(6) FORMAL RELATIONSHIPS WITH OTHER ENTITIES.—The Secretary may enter into formal relationships with other entities to make available additional victim advocates or to implement paragraphs (3), (4), and (5).

''(7) CONFIDENTIALITY.—Information disclosed by a victim to an advocate designated under this subsection—

''(A) shall be treated by the advocate as confidential; and

''(B) may not be disclosed by the advocate without the consent of the victim.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 513 of title 46, United States Code, is amended by adding at the end the following:

''51319. Sexual assault response coordinators and sexual assault victim advocates.''.

SEC. 203. REPORT FROM THE DEPARTMENT OF TRANSPORTATION INSPECTOR GENERAL.

(a) IN GENERAL.—Not later than March 31, 2018, the Inspector General of the Department of

Transportation 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 describes the effectiveness of the sexual harassment and sexual assault prevention and response program at the United States Merchant Marine Academy.

(b) CONTENTS.—The report required under subsection (a) shall—

(1) assess progress toward addressing any outstanding recommendations;

(2) include any recommendations to reduce the number of sexual assaults involving members of the United States Merchant Marine Academy, whether a member is the victim, the alleged assailant, or both;

(3) include any recommendations to improve the response of the Department of Transportation and the United States Merchant Marine Academy to reports of sexual assaults involving members of the Academy, whether a members is the victim, the alleged assailant, or both.

(c) EXPERTISE.—In compiling the report required under this section, the inspection teams acting under the direction of the Inspector General shall—

(1) include at least 1 member with expertise and knowledge of sexual assault prevention and response policies; or

(2) consult with subject matter experts in the prevention of and response to sexual assaults.

SEC. 204. SEXUAL ASSAULT PREVENTION AND RESPONSE WORKING GROUP.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Maritime Administrator shall convene a working group to examine methods to improve the prevention of, and response to, any sexual harassment or sexual assault that occurs during a Cadet's Sea Year experience with the United States Merchant Marine Academy.

(b) MEMBERSHIP.—The Maritime Administrator shall designate individuals to serve as members of the working group convened pursuant to subsection (a). Membership in the working group shall consist of—

(1) a representative of the Maritime Administration, which shall serve as chair of the working group;

(2) the Superintendent of the Academy, or designee;

(3) the sexual assault response coordinator appointed under section 51319 of title 46, United States Code;

(4) a subject matter expert from the Coast Guard;

(5) a subject matter expert from the Military Sealift Command;

(6) at least 1 representative from each of the State maritime academies;

(7) at least 1 representative from each private contracting party participating in the maritime security program;

(8) at least 1 representative from each nonprofit labor organization representing a class or craft of employees employed on vessels in the Maritime Security Fleet;

(9) at least 2 representatives from approved maritime training institutions; and

(10) at least 1 representative from companies that—

(A) participate in sea training of Academy cadets; and

(B) do not participate in the maritime security program.

(c) NO QUORUM REQUIREMENT.—The Maritime Administration may convene the working group without all members present.

(d) RESPONSIBILITIES.—The working group shall—

(1) evaluate options that could promote a climate of honor and respect, and a culture that is intolerant of sexual harassment and sexual assault and those who commit it, across the United States Flag Fleet;

(2) raise awareness of the United States Merchant Marine Academy's sexual assault prevention and response program across the United States Flag Fleet;

(3) assess options that could be implemented by the United States Flag Fleet that would remove any barriers to the reporting of sexual harassment and sexual assault response that occur during a Cadet's Sea Year experience and protect the victim's confidentiality;

(4) assess a potential program or policy, applicable to all participants of the maritime security program, to improve the prevention of, and response to, sexual harassment and sexual assault incidents;

(5) assess a potential program or policy, applicable to all vessels operating in the United States Flag Fleet that participate in the Maritime Security Fleet under section 53101 of title 46, United States Code, which carry cargos to which chapter 531 of such title applies, or are chartered by a Federal agency, requiring crews to complete a sexual harassment and sexual assault prevention and response training program before the Cadet's Sea Year that includes—

(A) fostering a shipboard climate—

(i) that does not tolerate sexual harassment and sexual assault;

(ii) in which persons assigned to vessel crews are encouraged to intervene to prevent potential incidents of sexual harassment or sexual assault; and

(iii) that encourages victims of sexual assault to report any incident of sexual harassment or sexual assault; and

(B) understanding the needs of, and the resources available to, a victim after an incident of sexual harassment or sexual assault;

(6) assess whether the United States Merchant Marine Academy should continue with sea year training on privately owned vessels or change its curricula to provide alternative training; and

(7) assess how vessel operators could ensure the confidentiality of a report of sexual harassment or sexual assault in order to protect the victim and prevent retribution.

(e) REPORT.—Not later than 15 months after the date of the enactment of this Act, the working group 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 includes—

(1) recommendations on each of the working group's responsibilities described in subsection (d);

(2) the trade-offs, opportunities, and challenges associated with the recommendations made in paragraph (1); and

(3) any other information the working group determines appropriate.

TITLE III—MARITIME ADMINISTRATION ENHANCEMENT

SEC. 301. STATUS OF NATIONAL DEFENSE RESERVE FLEET VESSELS.

Section 4405 of title 50, United States Code, is amended—

(1) in subsection (a), by adding at the end the following: ''Vessels in the National Defense Reserve Fleet, including vessels loaned to State maritime academies, shall be considered public vessels of the United States.''; and

(2) by adding at the end the following:

''(g) VESSEL STATUS.—Ships or other watercraft in the National Defense Reserve Fleet determined by the Maritime Administration to be of insufficient value to remain in the National Defense Reserve Fleet—

''(1) shall remain vessels (as defined in section 3 of title 1); and

''(2) shall remain subject to the rights and responsibilities of a vessel under admiralty law until such time as the vessel is delivered to a dismantling facility or is otherwise disposed of from the National Defense Reserve Fleet.''.

SEC. 302. PORT INFRASTRUCTURE DEVELOPMENT.

Section 50302(c)(4) of title 46, United States Code, is amended—

(1) by striking ''There are authorized'' and inserting the following:

''(A) IN GENERAL.—There are authorized''; and

(2) by adding at the end the following:

''(B) ADMINISTRATIVE EXPENSES.—Except as otherwise provided by law, the Administrator may use not more than 3 percent of the amounts appropriated to carry out this section for the administrative expenses of the program.''.

SEC. 303. USE OF STATE ACADEMY TRAINING VESSELS.

Section 51504(g) of title 46, United States Code, is amended to read as follows:

''(g) VESSEL SHARING.—The Secretary, after consulting with the affected State maritime academies, may implement a program requiring a State maritime academy to share its training vessel with another State maritime academy if the vessel of another State maritime academy—

''(1) is being used during a humanitarian assistance or disaster response activity;

''(2) is incapable of being maintained in good repair as required under section 51504(c) of title 46, United States Code;

''(3) requires maintenance or repair for an extended period;

''(4) is activated as a National Defense Reserve Fleet vessel pursuant to section 4405 of title 50, United States Code;

''(5) loses its Coast Guard Certificate of Inspection or its classification; or

''(6) does not comply with applicable environmental regulations.''.

SEC. 304. STATE MARITIME ACADEMY PHYSICAL STANDARDS AND REPORTING.

Section 51506 of title 46, United States Code, is amended–

(1) in subsection (a)—

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

(B) in paragraph (2), by striking ''and'' at the end;

(C) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(4) agree that any individual enrolled at such State maritime academy in a merchant marine officer preparation program—

''(A) shall, not later than 9 months after each such individual's date of enrollment, pass an examination in form and substance satisfactory to the Secretary that demonstrates that such individual meets the medical and physical requirements—

''(i) required for the issuance of an original license under section 7101; or

''(ii) set by the Coast Guard for issuing merchant mariners' documentation under section 7302, with no limit to his or her operational authority;

''(B) following passage of the examination under subparagraph (A), shall continue to meet the requirements or standards described in subparagraph (A) throughout the remainder of their respective enrollments at the State maritime academy; and

''(C) if the individual has a medical or physical condition that disqualifies him or her from meeting the requirements or standards referred to in subparagraph (A), shall be transferred to a program other than a merchant marine officer preparation program, or otherwise appropriately disenrolled from such State maritime academy, until the individual demonstrates to the Secretary that the individual meets such requirements or standards.''; and

(2) by adding at the end the following:

''(c) SECRETARIAL WAIVER AUTHORITY.—The Secretary is authorized to modify or waive any of the terms set forth in subsection (a)(4) with respect to any individual or State maritime academy.''.

SEC. 305. AUTHORITY TO EXTEND CERTAIN AGE RESTRICTIONS RELATING TO VESSELS PARTICIPATING IN THE MARITIME SECURITY FLEET.

(a) IN GENERAL.—Section 53102 of title 46, United States Code, is amended by adding at the end the following:

''(g) AUTHORITY FOR EXTENSION OF MAXIMUM SERVICE AGE FOR A PARTICIPATING FLEET VESSEL.—The Secretary of Defense, in conjunction with the Secretary of Transportation, may extend the maximum age restrictions under sections 53101(5)(A)(ii) and 53106(c)(3) for a particular participating fleet vessel for up to 5 years if the Secretary of Defense and the Secretary of Transportation jointly determine that such extension is in the national interest.''.

(b) REPEAL OF UNNECESSARY AGE LIMITATION.—Section 53106(c)(3) of such title is amended—

(1) in subparagraph (A), by striking ''or (C);'' and inserting ''; or'';

(2) in subparagraph (B), by striking ''; or'' at the end and inserting a period; and

(3) by striking subparagraph (C).

SEC. 306. APPOINTMENTS.

(a) IN GENERAL.—Section 51303 of title 46, United States Code, is amended by striking ''40'' and inserting ''50''.

(b) CLASS PROFILE.—Not later than August 31 of each year, the Superintendent of the United States Merchant Marine Academy shall post on the Academy's public website a summary profile of each class at the Academy.

(c) CONTENTS.—Each summary profile posted under subsection (b) shall include, for the incoming class and for the 4 classes that precede the incoming class, the number and percentage of students—

(1) by State;

(2) by country;

(3) by gender;

(4) by race and ethnicity; and

(5) with prior military service.

SEC. 307. HIGH-SPEED CRAFT CLASSIFICATION SERVICES.

(a) IN GENERAL.—Notwithstanding section 3316(a) of title 46, United States Code, the Secretary of the Navy may use the services of an approved classification society for only a high-speed craft that—

(1) was acquired by the Secretary from the Maritime Administration;

(2) is not a high-speed naval combatant, patrol vessel, expeditionary vessel, or other special purpose military or law enforcement vessel;

(3) is operated for commercial purposes;

(4) is not operated or crewed by any department, agency, instrumentality, or employee of the United States Government;

(5) is not directly engaged in any mission or other operation for or on behalf of any department, agency, instrumentality, or employee of the United States Government; and

(6) is not primarily designed to carry freight owned, leased, used, or contracted for or by the United States Government.

(b) DEFINITION OF APPROVED CLASSIFICATION SOCIETY.—In this section, the term ''approved classification society'' means a classification society that has been approved by the Secretary of the department in which the Coast Guard is operating under section 3316(c) of title 46, United States Code.

(c) SAVINGS CLAUSE.—Nothing in this section may be construed to affect the requirements under section 3316 of title 46, United States Code, for a high-speed craft that does not meet the conditions under paragraphs (1) through (6) of subsection (a) of this section.

SEC. 308. MARITIME WORKFORCE WORKING GROUP.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Transportation shall convene a working group to examine and assess the size of the pool of citizen mariners necessary to support the United States Flag Fleet in times of national emergency.

(b) MEMBERSHIP.—The Maritime Administrator shall designate individuals to serve as members of the working group convened under subsection (a). The working group shall include, at a minimum, the following members:

(1) At least 1 representative of the Maritime Administration, who shall serve as chairperson of the working group.

(2) At least 1 subject matter expert from the United States Merchant Marine Academy.

(3) At least 1 subject matter expert from the Coast Guard.

(4) At least 1 subject matter expert from the Military Sealift Command.

(5) 1 subject matter expert from each of the State maritime academies.

(6) At least 1 representative from each nonprofit labor organization representing a class or craft of employees (licensed or unlicensed) who are employed on vessels operating in the United States Flag Fleet.

(7) At least 4 representatives of owners of vessels operating the in United States Flag Fleet, or their private contracting parties, which are primarily operating in non-contiguous or coastwise trades.

(8) At least 4 representatives of owners of vessels operating the in United States Flag Fleet, or their private contracting parties, which are primarily operating in international transportation.

(c) NO QUORUM REQUIREMENT.—The Maritime Administration may convene the working group without all members present.

(d) RESPONSIBILITIES.—The working group shall—

(1) identify the number of United States citizen mariners—

(A) in total;

(B) that have a valid United States Coast Guard merchant mariner credential with the necessary endorsements for service on unlimited tonnage vessels subject to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended;

(C) that are involved in Federal programs that support the United States Merchant Marine and United States Flag Fleet;

(D) that are available to crew the United States Flag Fleet and the surge sealift fleet in times of a national emergency;

(E) that are full-time mariners;

(F) that have sailed in the prior 18 months; and

(G) that are primarily operating in non-contiguous or coastwise trades;

(2) assess the impact on the United States Merchant Marine and United States Merchant Marine Academy if graduates from State maritime academies and the United States Merchant Marine Academy were assigned to, or required to fulfill, certain maritime positions based on the overall needs of the United States Merchant Marine;

(3) assess the Coast Guard Merchant Mariner Licensing and Documentation System, which tracks merchant mariner credentials and medical certificates, and its accessibility and value to the Maritime Administration for the purposes of evaluating the pool of United States citizen mariners; and

(4) make recommendations to enhance the availability and quality of interagency data, including data from the United States Transportation Command, the Coast Guard, and the Bureau of Transportation Statistics, for use by the Maritime Administration for evaluating the pool of United States citizen mariners.

(e) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Transportation 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 contains the results of the study conducted under this section, including—

(1) the number of United States citizen mariners identified for each category described in subparagraphs (A) through (G) of subsection (d)(1);

(2) the results of the assessments conducted under paragraphs (2) and (3) of subsection (d); and

(3) the recommendations made under subsection (d)(4).

SEC. 309. VESSEL DISPOSAL PROGRAM.

(a) ANNUAL REPORT.—Not later than January 1 of each year, the Administrator of the Maritime Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the management of the vessel disposal program of the Maritime Administration.

(b) CONTENTS.—The report under subsection (a) shall include—

(1) the total amount of funds credited in the prior fiscal year to—

(A) the Vessel Operations Revolving Fund established by section 50301(a) of title 46, United States Code; and

(B) any other account attributable to the vessel disposal program of the Maritime Administration;

(2) the balance of funds available at the end of that fiscal year in—

(A) the Vessel Operations Revolving Fund; and

(B) any other account described in paragraph (1)(B);

(3) in consultation with the Secretary of the Interior, the total number of—

(A) grant applications under the National Maritime Heritage Grants Program in the prior fiscal year; and

(B) the applications under subparagraph (A) that were approved by the Secretary of the Interior, acting through the National Maritime Initiative of the National Park Service;

(4) a detailed description of each project funded under the National Maritime Heritage Grants Program in the prior fiscal year for which funds from the Vessel Operations Revolving Funds were obligated, including the information described in paragraphs (1) through (3) of section 308703(j) of title 54, United States Code; and

(5) a detailed description of the funds credited to and distributions from the Vessel Operations Revolving Funds in the prior fiscal year.

(c) ASSESSMENTS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and biennially thereafter, the Administrator shall assess the vessel disposal program of the Maritime Administration.

(2) CONTENTS.—Each assessment under paragraph (1) shall include—

(A) an inventory of each vessel, subject to a disposal agreement, for which the Maritime Administration acts as the disposal agent, including—

(i) the age of the vessel; and

(ii) the name of the Federal agency with which the Maritime Administration has entered into a disposal agreement;

(B) a description of each vessel of a Federal agency that may meet the criteria for the Maritime Administration to act as the disposal agent, including—

(i) the age of the vessel; and

(ii) the name of the applicable Federal agency;

(C) the Maritime Administration's plan to serve as the disposal agent, as appropriate, for the vessels described in subparagraph (B); and

(D) any other information related to the vessel disposal program that the Administrator determines appropriate.

(d) CESSATION OF EFFECTIVENESS.—This section ceases to be effective on the date that is 5 years after the date of enactment of this Act.

SEC. 310. MARITIME EXTREME WEATHER TASK FORCE.

(a) ESTABLISHMENT OF TASK FORCE.—Not later than 15 days after the date of enactment of this Act, the Secretary of Transportation shall establish a task force to analyze the impact of extreme weather events, such as in the maritime environment (referred to in this section as the ''Task Force'').

(b) MEMBERSHIP.—The Task Force shall be composed of—

(1) the Secretary or the Secretary's designee; and

(2) a representative of—

(A) the Coast Guard;

(B) the National Oceanic and Atmospheric Administration;

(C) the Federal Maritime Commission; and

(D) such other Federal agency or independent commission as the Secretary considers appropriate.

(c) REPORT.—

(1) IN GENERAL.—Except as provided in paragraph (4), not later than 180 days after the date it is established under subsection (a), the Task Force shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the analysis under subsection (a).

(2) CONTENTS.—The report under paragraph (1) shall include—

(A) an identification of available weather prediction, monitoring, and routing technology resources;

(B) an identification of industry best practices relating to response to, and prevention of marine casualties from, extreme weather events;

(C) a description of how the resources described in subparagraph (A) are used in the various maritime sectors, including by passenger and cargo vessels;

(D) recommendations for improving maritime response operations to extreme weather events and preventing marine casualties from extreme weather events, such as promoting the use of risk communications and the technologies identified under subparagraph (A); and

(E) recommendations for any legislative or regulatory actions for improving maritime response operations to extreme weather events and preventing marine casualties from extreme weather events.

(3) PUBLICATION.—The Secretary shall make the report under paragraph (1) and any notification under paragraph (4) publicly accessible in an electronic format.

(4) IMMINENT THREATS.—The Task Force shall immediately notify the Secretary of any finding or recommendations that could protect the safety of an individual on a vessel from an imminent threat of extreme weather.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 311. PENALTY WAGES.

(a) FOREIGN AND INTERCOASTAL VOYAGES.—Section 10313(g) of title 46, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking ''all claims in a class action suit by seamen'' and inserting ''each claim by a seaman''; and

(B) by striking ''the seamen'' and inserting ''the seaman''; and

(2) in paragraph (3)—

(A) by striking ''class action''; and

(B) in subparagraph (B), by striking '', by a seaman who is a claimant in the suit,'' and inserting ''by the seaman''.

(b) COASTWISE VOYAGES.—Section 10504(c) of such title is amended—

(1) in paragraph (2)—

(A) by striking ''all claims in a class action suit by seamen'' and inserting ''each claim by a seaman''; and

(B) by striking ''the seamen'' and inserting ''the seaman''; and

(2) in paragraph (3)—

(A) by striking ''class action''; and

(B) in subparagraph (B), by striking '', by a seaman who is a claimant in the suit,'' and inserting ''by the seaman''.

SEC. 312. RECOURSE FOR NONCITIZENS.

Section 30104 of title 46, United States Code, is amended—

(1) by inserting ''(a) IN GENERAL.—'' before the first sentence; and

(2) by adding at the end the following:

''(b) RESTRICTION ON RECOVERY FOR NONRESIDENT ALIENS EMPLOYED ON FOREIGN PASSENGER VESSELS.—A claim for damages or expenses relating to personal injury, illness, or death of a seaman who is a citizen of a foreign nation, arising during or from the engagement of the seaman by or for a passenger vessel duly registered under the laws of a foreign nation, may not be brought under the laws of the United States if—

''(1) such seaman was not a permanent resident alien of the United States at the time the claim arose;

''(2) the injury, illness, or death arose outside the territorial waters of the United States; and

''(3) the seaman or the seaman's personal representative has or had a right to seek compensation for the injury, illness, or death in, or under the laws of—

''(A) the nation in which the vessel was registered at the time the claim arose; or

''(B) the nation in which the seaman maintained citizenship or residency at the time the claim arose.

''(c) COMPENSATION DEFINED.—As used in subsection (b), the term 'compensation' means—

''(1) a statutory workers' compensation remedy that complies with Standard A4.2 of Regulation 4.2 of the Maritime Labour Convention, 2006; or

''(2) in the absence of the remedy described in paragraph (1), a legal remedy that complies with Standard A4.2 of Regulation 4.2 of the Maritime Labour Convention, 2006, that permits recovery for lost wages, pain and suffering, and future medical expenses.''.

SEC. 313. FLOATING DRY DOCKS.

Section 55122(a)(1)(C) of title 46, United States Code, is amended by striking ''the date of the enactment of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015'' and inserting ''December 19, 2017''.

TITLE IV—IMPLEMENTATION OF WORKFORCE MANAGEMENT IMPROVEMENTS

SEC. 401. WORKFORCE PLANS AND ONBOARDING POLICIES.

(a) WORKFORCE PLANS.—Not later than 9 months after the date of the enactment of this Act, the Maritime Administrator shall review the Maritime Administration's workforce plans, including its Strategic Human Capital Plan and Leadership Succession Plan, and fully implement competency models for mission–critical occupations, including—

(1) leadership positions;

(2) human resources positions; and

(3) transportation specialist positions.

(b) ONBOARDING POLICIES.—Not later than 9 months after the date of the enactment of this Act, the Administrator shall—

(1) review the Maritime Administration's policies related to new hire orientation, training, and misconduct policies;

(2) align the onboarding policies and procedures at headquarters and the field offices to ensure consistent implementation and provision of critical information across the Maritime Administration; and

(3) update the Maritime Administration's training policies and training systems to include controls that ensure that all completed training is tracked in a standardized training repository.

(c) ONBOARDING POLICIES.—Not later than 1 year after the date of the enactment of this Act, the Administrator 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 describes the Maritime Administration's compliance with the requirements under this section.

SEC. 402. DRUG AND ALCOHOL POLICY.

(a) REVIEW.—Not later than 9 months after the date of the enactment of this Act, the Maritime Administrator shall—

(1) review the Maritime Administration's drug and alcohol policies, procedures, and training practices;

(2) ensure that all fleet managers have received training on the Department of Transportation's drug and alcohol policy, including the testing procedures used by the Department and the Maritime Administration in cases of reasonable suspicion; and

(3) institute a system for tracking all drug and alcohol policy training conducted under paragraph (2) in a standardized training repository.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Administrator 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 describes the Maritime Administration's compliance with the requirements under this section.

SEC. 403. VESSEL TRANSFERS.

Not later than 9 months after the date of the enactment of this Act, the Maritime Administrator 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 describes the policies and procedures for vessel transfer, including—

(1) a summary of the actions taken to update the Vessel Transfer Office procedures manual to reflect the current range of program responsibilities and processes; and

(2) a copy of the updated Vessel Transfer Office procedures to process vessel transfer applications.

TITLE V—TECHNICAL AMENDMENTS

SEC. 501. CLARIFYING AMENDMENT; CONTINUATION BOARDS.

Section 290(a) of title 14, United States Code, is amended by striking ''five officers serving in the grade of vice admiral'' and inserting ''5 officers (other than the Commandant) serving in the grade of admiral or vice admiral''.

SEC. 502. PROSPECTIVE PAYMENT OF FUNDS NECESSARY TO PROVIDE MEDICAL CARE.

(a) IN GENERAL.—Chapter 13 of title 14, United States Code, is amended by adding at the end the following:

''§ 520. Prospective payment of funds necessary to provide medical care

''(a) PROSPECTIVE PAYMENT REQUIRED.—In lieu of the reimbursement required under section 1085 of title 10, the Secretary of Homeland Security shall make a prospective payment to the Secretary of Defense of an amount that represents the actuarial valuation of treatment or care—

''(1) that the Department of Defense shall provide to members of the Coast Guard, former members of the Coast Guard, and dependents of such members and former members (other than former members and dependents of former members who are a Medicare-eligible beneficiary or for whom the payment for treatment or care is made from the Medicare-Eligible Retiree Health Care Fund) at facilities under the jurisdiction of the Department of Defense or a military department; and

''(2) for which a reimbursement would otherwise be made under such section 1085.

''(b) AMOUNT.—The amount of the prospective payment under subsection (a)—

''(1) shall be derived from amounts appropriated for the operating expenses of the Coast Guard for treatment or care provided to members of the Coast Guard and their dependents;

''(2) shall be derived from amounts appropriated for retired pay for treatment or care provided to former members of the Coast Guard and their dependents;

''(3) shall be determined under procedures established by the Secretary of Defense;

''(4) shall be paid during the fiscal year in which treatment or care is provided; and

''(5) shall be subject to adjustment or reconciliation, as the Secretary of Homeland Security and the Secretary of Defense jointly determine appropriate, during or promptly after such fiscal year if the prospective payment is determined excessive or insufficient based on the services actually provided.

''(c) NO PROSPECTIVE PAYMENT WHEN SERVICE IN NAVY.—No prospective payment shall be made under this section for any period during which the Coast Guard operates as a service in the Navy.

''(d) RELATIONSHIP TO TRICARE.—This section shall not be construed to require a payment for, or the prospective payment of an amount that represents the value of, treatment or care provided under any TRICARE program.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 13 of title 14, United States Code, is amended by adding at the end the following:

''520. Prospective payment of funds necessary to provide medical care.''.

(c) REPEAL.—Section 217 of the Coast Guard Authorization Act of 2016 (Public Law 114–120) and the item relating to that section in the table of contents in section 2 of such Act, are repealed.

SEC. 503. TECHNICAL CORRECTIONS TO TITLE 46, UNITED STATES CODE.

(a) IN GENERAL.—Title 46, United States Code, is amended—

(1) in section 4503(f)(2), by striking ''that'' after ''necessary,''; and

(2) in section 7510(c)—

(A) in paragraph (1)(D), by striking ''engine'' and inserting ''engineer''; and

(B) in paragraph (9), by inserting a period after ''App''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of the Coast Guard Authorization Act of 2015 (Public Law 114–120).

SEC. 504. COAST GUARD USE OF THE PRIBILOF ISLANDS.

(a) IN GENERAL.—Section 522(a)(1) of the Pribilof Island Transition Completion Act of 2015 (subtitle B of title V of Public Law 114–120) is amended by striking ''Lots'' and inserting ''Not later than 30 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, lots''.

(b) REPORT.—Not later than 60 days after the date of the enactment of the Maritime Administration Authorization and Enhancement Act for Fiscal Year 2017, the Secretary of the department in which the Coast Guard is operating shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Natural Resources of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) the Coast Guard's use of Tracts 43 and 39, located on St. Paul Island, Alaska, since operation of the LORAN-C system was terminated;

(2) the Coast Guard's plans for using the tracts described in paragraph (1) during fiscal years 2016, 2017, and 2018; and

(3) the Coast Guard's plans for using the tracts described in paragraph (1) and other facilities on St. Paul Island after fiscal year 2018.

TITLE VI—POLAR ICEBREAKER FLEET RECAPITALIZATION TRANSPARENCY ACT

SEC. 601. SHORT TITLE.

This title may be cited as the ''Polar Icebreaker Fleet Recapitalization Transparency Act''.

SEC. 602. DEFINITIONS.

In this title:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(2) SECRETARY.—Except as otherwise specifically provided, the term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

SEC. 603. AUTHORITY FOR POLAR ICEBREAKER ACQUISITION.

(a) AUTHORITY.—The Secretary is authorized to carry out design and construction activities for the acquisition of new heavy polar icebreakers.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary is authorized to enter into one or more contracts for advance procurement associated with the activities described in subsection (a), including procurement of systems and equipment.

(c) INTERAGENCY FINANCING.—The Secretary is authorized to participate in interagency financing, including receiving appropriated funds from other agencies or departments of the United States, to carry out this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated for fiscal year 2017 under section 2702(2) of title 14, United States Code, $150,000,000 are authorized to be available to the Secretary to carry out this section.

SEC. 604. POLAR ICEBREAKER RECAPITALIZATION PLAN.

(a) REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of the Navy, shall submit to the appropriate committees of Congress, a detailed recapitalization plan to meet the 2013 Department of Homeland Security Mission Need Statement.

(b) CONTENTS.—The plan required by subsection (a) shall—

(1) detail the number of heavy and medium polar icebreakers required to meet Coast Guard statutory missions in the polar regions;

(2) identify the vessel specifications, capabilities, systems, equipment, and other details required for the design of heavy polar icebreakers capable of fulfilling the mission requirements of the Coast Guard and the Navy, and the requirements of other agencies and department of the United States, as the Secretary determines appropriate;

(3) list the specific appropriations required for the acquisition of each icebreaker, for each fiscal year, until the full fleet is recapitalized;

(4) describe the potential savings of serial acquisition for new polar class icebreakers, including specific schedule and acquisition requirements needed to realize such savings;

(5) describe any polar icebreaking capacity gaps that may arise based on the current fleet and current procurement outlook; and

(6) describe any additional polar icebreaking capability gaps due to any further delay in procurement schedules.

SEC. 605. GAO REPORT ICEBREAKING CAPABILITY IN THE UNITED STATES.

(a) REQUIREMENT.—Not later than 6 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the current state of the United States Federal polar icebreaking fleet.

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

(1) an analysis of the icebreaking assets in operation in the United States and a description of the missions completed by such assets;

(2) an analysis of how such assets and the capabilities of such assets are consistent, or inconsistent, with the polar icebreaking mission requirements described in the 2013 Department of Homeland Security Mission Need Statement, the Naval Operations Concept 2010, or other military and civilian governmental missions in the United States;

(3) an analysis of the gaps in icebreaking capability of the United States based on the expected service life of the fleet of United States icebreaking assets;

(4) a list of countries that are allies of the United States that have the icebreaking capacity to exercise missions in the Arctic during any identified gap in United States icebreaking capacity in a polar region; and

(5) a description of the policy, financial, and other barriers that have prevented timely recapitalization of the Coast Guard polar icebreaking fleet and recommendations to overcome such barriers, including potential international fee-based models used to compensate governments for icebreaking escorts or maintenance of maritime routes.

TITLE VII—VESSEL INCIDENTAL DISCHARGE ACT

SEC. 701. SHORT TITLE.

This title may be cited as the ''Vessel Incidental Discharge Act''.

SEC. 702. FINDINGS; PURPOSE.

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

(1) Since the enactment of the Act to Prevent Pollution from Ships (22 U.S.C. 1901 et seq.) in 1980, the United States Coast Guard has been the principal Federal authority charged with administering, enforcing, and prescribing regulations relating to the discharge of pollutants from vessels engaged in maritime commerce and transportation.

(2) The Coast Guard estimates there are approximately 12,000,000 State-registered recreational vessels, 75,000 commercial fishing vessels, and 33,000 freight and tank barges operating in United States waters.

(3) From 1973 to 2005, certain discharges incidental to the normal operation of a vessel were exempted by regulation from otherwise applicable permitting requirements.

(4) During the 32 years during which this regulatory exemption was in effect, Congress enacted several statutes to deal with the regulation of discharges incidental to the normal operation of a vessel, including—

(A) the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.) in 1980;

(B) the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.);

(C) the National Invasive Species Act of 1996 (110 Stat. 4073);

(D) section 415 of the Coast Guard Authorization Act of 1998 (112 Stat. 3434) and section 623 of the Coast Guard and Maritime Transportation Act of 2004 (33 U.S.C. 1901 note), which established interim and permanent requirements, respectively, for the regulation of vessel discharges of certain bulk cargo residue;

(E) title XIV of division B of Appendix D of the Consolidated Appropriations Act, 2001 (114 Stat. 2763), which prohibited or limited certain vessel discharges in certain areas of Alaska;

(F) section 204 of the Maritime Transportation Security Act of 2002 (33 U.S.C. 1902a), which established requirements for the regulation of vessel discharges of agricultural cargo residue material in the form of hold washings;

(G) title X of the Coast Guard Authorization Act of 2010 (33 U.S.C. 3801 et seq.), which provided for the implementation of the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001; and

(H) the amendment made by section 2 of the Clean Boating Act of 2008 adding subsection (r) to section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342(r)), which exempts recreational vessels from National Pollutant Discharge Elimination System permit requirements.

(b) PURPOSE.—The purpose of this title is to provide for the establishment of nationally uniform and environmentally sound standards and requirements for the management of discharges incidental to the normal operation of a vessel.

SEC. 703. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) AQUATIC NUISANCE SPECIES.—The term ''aquatic nuisance species'' means a nonindigenous species (including a pathogen) that threatens the diversity or abundance of native species or the ecological stability of navigable waters or commercial, agricultural, aquacultural, or recreational activities dependent on such waters.

(3) BALLAST WATER.—

(A) IN GENERAL.—The term ''ballast water'' means any water and water-suspended matter taken aboard a vessel—

(i) to control or maintain trim, list, draught, stability, or stresses of the vessel; or

(ii) during the cleaning, maintenance, or other operation of a ballast water treatment technology of the vessel.

(B) EXCLUSIONS.—The term ''ballast water'' does not include any substance that is added to water described in subparagraph (A) that is not directly related to the operation of a properly functioning ballast water treatment technology under this title.

(4) BALLAST WATER DISCHARGE STANDARD.—The term ''ballast water discharge standard'' means the numerical ballast water discharge standard set forth in section 151.2030 of title 33, Code of Federal Regulations or section 151.1511 of title 33, Code of Federal Regulations, as applicable, or a revised numerical ballast water discharge standard established under subsection (a)(1)(B), (b), or (c) of section 705.

(5) BALLAST WATER MANAGEMENT SYSTEM; MANAGEMENT SYSTEM.—The terms ''ballast water management system'' and ''management system'' mean any system, including all ballast water treatment equipment and associated control and monitoring equipment, used to process ballast water to kill, remove, render harmless, or avoid the uptake or discharge of organisms.

(6) BIOCIDE.—The term ''biocide'' means a substance or organism, including a virus or fungus, that is introduced into or produced by a ballast water management system to reduce or eliminate aquatic nuisance species as part of the process used to comply with a ballast water discharge standard under this title.

(7) DISCHARGE INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL.—

(A) IN GENERAL.—The term ''discharge incidental to the normal operation of a vessel'' means—

(i) a discharge into navigable waters from a vessel of—

(I)(aa) ballast water, graywater, bilge water, cooling water, oil water separator effluent, antifouling hull coating leachate, boiler or economizer blowdown, byproducts from cathodic protection, controllable pitch propeller and thruster hydraulic fluid, distillation and reverse osmosis brine, elevator pit effluent, firemain system effluent, freshwater layup effluent, gas turbine wash water, motor gasoline and compensating effluent, refrigeration and air condensate effluent, seawater pumping biofouling prevention substances, boat engine wet exhaust, sonar dome effluent, exhaust gas scrubber washwater, or stern tube packing gland effluent; or

(bb) any other pollutant associated with the operation of a marine propulsion system, shipboard maneuvering system, habitability system, or installed major equipment, or from a protective, preservative, or absorptive application to the hull of a vessel;

(II) weather deck runoff, deck wash, aqueous film forming foam effluent, chain locker effluent, non-oily machinery wastewater, underwater ship husbandry effluent, welldeck effluent, or fish hold and fish hold cleaning effluent; or

(III) any effluent from a properly functioning marine engine; or

(ii) a discharge of a pollutant into navigable waters in connection with the testing, maintenance, or repair of a system, equipment, or engine described in subclause (I)(bb) or (III) of clause (i) whenever the vessel is waterborne.

(B) EXCLUSIONS.—The term ''discharge incidental to the normal operation of a vessel'' does not include—

(i) a discharge into navigable waters from a vessel of—

(I) rubbish, trash, garbage, incinerator ash, or other such material discharged overboard;

(II) oil or a hazardous substance as those terms are defined in section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321);

(III) sewage as defined in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6)); or

(IV) graywater referred to in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6));

(ii) an emission of an air pollutant resulting from the operation onboard a vessel of a vessel propulsion system, motor driven equipment, or incinerator; or

(iii) a discharge into navigable waters from a vessel when the vessel is operating in a capacity other than as a means of transportation on water.

(8) GEOGRAPHICALLY LIMITED AREA.—The term ''geographically limited area'' means an area—

(A) with a physical limitation, including limitation by physical size and limitation by authorized route such as the Great Lakes and St. Lawrence River, that prevents a vessel from operating outside the area, as determined by the Secretary; or

(B) that is ecologically homogeneous, as determined by the Secretary, in consultation with the heads of other Federal departments or agencies as the Secretary considers appropriate.

(9) MANUFACTURER.—The term ''manufacturer'' means a person engaged in the manufacture, assemblage, or importation of ballast water treatment technology.

(10) NAVIGABLE WATERS.—The term ''navigable waters'' has the meaning given the term in section 2.36 of title 33, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(11) SECRETARY.—The term ''Secretary'' means the Secretary of the department in which the Coast Guard is operating.

(12) VESSEL.—The term ''vessel'' means every description of watercraft or other artificial contrivance used, or practically or otherwise capable of being used, as a means of transportation on water.

SEC. 704. REGULATION AND ENFORCEMENT.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—The Secretary, in consultation with the Administrator, shall establish, implement, and enforce uniform national standards and requirements for the regulation of discharges incidental to the normal operation of a vessel.

(2) BASIS.—Except as provided under paragraph (3), the standards and requirements established under paragraph (1)—

(A) with respect to ballast water, shall be based upon the best available technology that is economically achievable;

(B) with respect to discharges incidental to the normal operation of a vessel other than ballast water, shall be based on best management practices (including practices, limitations, or concentrations); and

(C) shall supersede any permitting requirement or prohibition on discharges incidental to the normal operation of a vessel under any other provision of law.

(3) RULE OF CONSTRUCTION.—The standards and requirements established under paragraph (1) shall not supersede regulations, in place on the date of the enactment of this Act or established by a rulemaking proceeding after such date of enactment, which cover a discharge in a national marine sanctuary or in a marine national monument.

(b) ADMINISTRATION AND ENFORCEMENT.—The Secretary shall administer and enforce the uniform national standards and requirements under this title. Each State may enforce the uniform national standards and requirements under this title.

(c) SANCTIONS.—

(1) CIVIL PENALTIES.—

(A) BALLAST WATER.—Any person who violates a regulation issued pursuant to this title regarding a discharge incidental to the normal operation of a vessel of ballast water shall be liable for a civil penalty in an amount not to exceed $25,000. Each day of a continuing violation constitutes a separate violation.

(B) OTHER DISCHARGE.—Any person who violates a regulation issued pursuant to this title regarding a discharge incidental to the normal operation of a vessel other than ballast water shall be liable for a civil penalty in an amount not to exceed $10,000. Each day of a continuing violation constitutes a separate violation.

(C) IN REM LIABILITY.—A vessel operated in violation of a regulation issued under this title shall be liable in rem for any civil penalty assessed under this subsection for that violation.

(2) CRIMINAL PENALTIES.—

(A) BALLAST WATER.—Any person who knowingly violates a regulation issued pursuant to this title regarding a discharge incidental to the normal operation of a vessel of ballast water shall be punished by a fine of not more than $100,000, imprisonment for not more than 2 years, or both.

(B) OTHER DISCHARGE.—Any person who knowingly violates a regulation issued pursuant to this title regarding a discharge incidental to the normal operation of a vessel other than ballast water shall be punished by a fine of not more than $50,000, imprisonment for not more than 1 year, or both.

(3) REVOCATION OF CLEARANCE.—The Secretary is authorized to withhold or revoke the clearance of a vessel required under section 60105 of title 46, United States Code, if the owner or operator of the vessel is in violation of a regulation issued pursuant to this Act.

(4) EXCEPTION TO SANCTIONS.—It shall be an affirmative defense to any charge of a violation of this title that compliance with this title would, because of adverse weather, equipment failure, or any other relevant condition, have threatened the safety or stability of a vessel, its crew, or its passengers.

SEC. 705. UNIFORM NATIONAL STANDARDS AND REQUIREMENTS FOR THE REGULATION OF DISCHARGES INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL.

(a) REQUIREMENTS.—

(1) BALLAST WATER MANAGEMENT REQUIREMENTS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the requirements set forth in the final rule, Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters (77 Fed. Reg. 17254 (March 23, 2012), as corrected at 77 Fed. Reg. 33969 (June 8, 2012)), shall be the management requirements for a ballast water discharge incidental to the normal operation of a vessel until the Secretary revises the ballast water discharge standard under subsection (b) or adopts a more stringent standard under subparagraph (B).

(B) ADOPTION OF MORE STRINGENT STANDARD.—If the Secretary makes a determination in favor of a State petition under section 610, the Secretary shall adopt the more stringent ballast water discharge standard specified in the statute or regulation that is the subject of that State petition instead of the ballast water discharge standard in the final rule described under subparagraph (A).

(2) INITIAL MANAGEMENT REQUIREMENTS FOR DISCHARGES OTHER THAN BALLAST WATER.—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with the Administrator, shall issue a final rule establishing best management practices for discharges incidental to the normal operation of a vessel other than ballast water.

(b) REVISED BALLAST WATER DISCHARGE STANDARD; 8-YEAR REVIEW.—

(1) IN GENERAL.—Subject to the feasibility review under paragraph (2), not later than January 1, 2024, the Secretary, in consultation with

the Administrator, shall issue a final rule revising the ballast water discharge standard under subsection (a)(1) so that a ballast water discharge incidental to the normal operation of a vessel will contain—

(A) less than 1 organism that is living or has not been rendered harmless per 10 cubic meters that is 50 or more micrometers in minimum dimension;

(B) less than 1 organism that is living or has not been rendered harmless per 10 milliliters that is less than 50 micrometers in minimum dimension and more than 10 micrometers in minimum dimension;

(C) concentrations of indicator microbes that are less than—

(i) 1 colony-forming unit of toxicogenic Vibrio cholera (serotypes O1 and O139) per 100 milliliters or less than 1 colony-forming unit of that microbe per gram of wet weight of zoological samples;

(ii) 126 colony-forming units of Escherichia coli per 100 milliliters; and

(iii) 33 colony-forming units of intestinal enterococci per 100 milliliters; and

(D) concentrations of such additional indicator microbes and of viruses as may be specified in regulations issued by the Secretary in consultation with the Administrator and such other Federal agencies as the Secretary and the Administrator consider appropriate.

(2) FEASIBILITY REVIEW.—

(A) IN GENERAL.—Not less than 2 years before January 1, 2024, the Secretary, in consultation with the Administrator, shall complete a review to determine the feasibility of achieving the revised ballast water discharge standard under paragraph (1).

(B) CRITERIA FOR REVIEW OF BALLAST WATER DISCHARGE STANDARD.—In conducting a review under subparagraph (A), the Secretary shall consider whether revising the ballast water discharge standard will result in a scientifically demonstrable and substantial reduction in the risk of introduction or establishment of aquatic nuisance species, taking into account—

(i) improvements in the scientific understanding of biological and ecological processes that lead to the introduction or establishment of aquatic nuisance species;

(ii) improvements in ballast water management systems, including—

(I) the capability of such management systems to achieve a revised ballast water discharge standard;

(II) the effectiveness and reliability of such management systems in the shipboard environment;

(III) the compatibility of such management systems with the design and operation of a vessel by class, type, and size;

(IV) the commercial availability of such management systems; and

(V) the safety of such management systems;

(iii) improvements in the capabilities to detect, quantify, and assess the viability of aquatic nuisance species at the concentrations under consideration;

(iv) the impact of ballast water management systems on water quality; and

(v) the costs, cost-effectiveness, and impacts of—

(I) a revised ballast water discharge standard, including the potential impacts on shipping, trade, and other uses of the aquatic environment; and

(II) maintaining the existing ballast water discharge standard, including the potential impacts on water-related infrastructure, recreation, propagation of native fish, shellfish, and wildlife, and other uses of navigable waters.

(C) LOWER REVISED DISCHARGE STANDARD.—

(i) IN GENERAL.—If the Secretary, in consultation with the Administrator, determines on the basis of the feasibility review and after an opportunity for a public hearing that no ballast water management system can be certified under section 706 to comply with the revised ballast water discharge standard under paragraph (1), the Secretary shall require the use of the management system that achieves the performance levels of the best available technology that is economically achievable.

(ii) IMPLEMENTATION DEADLINE.—If the Secretary, in consultation with the Administrator, determines that the management system under clause (i) cannot be implemented before the implementation deadline under paragraph (3) with respect to a class of vessels, the Secretary shall extend the implementation deadline for that class of vessels for not more than 36 months.

(iii) COMPLIANCE.—If the implementation deadline under paragraph (3) is extended, the Secretary shall recommend action to ensure compliance with the extended implementation deadline under clause (ii).

(D) HIGHER REVISED DISCHARGE STANDARD.—

(i) IN GENERAL.—If the Secretary, in consultation with the Administrator, determines that a ballast water management system exists that exceeds the revised ballast water discharge standard under paragraph (1) with respect to a class of vessels and is the best available technology that is economically achievable, the Secretary shall revise the ballast water discharge standard for that class of vessels to incorporate the higher discharge standard.

(ii) IMPLEMENTATION DEADLINE.—If the Secretary, in consultation with the Administrator, determines that the management system under clause (i) can be implemented before the implementation deadline under paragraph (3) with respect to a class of vessels, the Secretary shall accelerate the implementation deadline for that class of vessels. If the implementation deadline under paragraph (3) is accelerated, the Secretary shall provide not less than 24 months notice before the accelerated deadline takes effect.

(3) IMPLEMENTATION DEADLINE.—The revised ballast water discharge standard under paragraph (1) shall apply to a vessel beginning on the date of the first drydocking of the vessel on or after January 1, 2024, but not later than December 31, 2026.

(4) REVISED DISCHARGE STANDARD COMPLIANCE DEADLINES.—

(A) IN GENERAL.—The Secretary may establish a compliance deadline for compliance by a vessel (or a class, type, or size of vessel) with a revised ballast water discharge standard under this subsection.

(B) PROCESS FOR GRANTING EXTENSIONS.—In issuing regulations under this subsection, the Secretary shall establish a process for an owner or operator to submit a petition to the Secretary for an extension of a compliance deadline with respect to the vessel of the owner or operator.

(C) PERIOD OF EXTENSIONS.—An extension issued under subparagraph (B) may be for a period of not to exceed 18 months from the date of the applicable deadline under subparagraph (A) and may be renewed for additional periods of not to exceed 18 months each, except that the total period of extension may not exceed 5 years.

(D) FACTORS.—In issuing a compliance deadline or reviewing a petition under this paragraph, the Secretary shall consider, with respect to the ability of an owner or operator to meet a compliance deadline, the following factors:

(i) Whether the management system to be installed is available in sufficient quantities to meet the compliance deadline.

(ii) Whether there is sufficient shipyard or other installation facility capacity.

(iii) Whether there is sufficient availability of engineering and design resources.

(iv) Vessel characteristics, such as engine room size, layout, or a lack of installed piping.

(v) Electric power generating capacity aboard the vessel.

(vi) Safety of the vessel and crew.

(vii) Any other factors the Secretary considers appropriate, including the availability of a ballast water reception facility or other means of managing ballast water.

(E) CONSIDERATION OF PETITIONS.—

(i) DETERMINATIONS.—The Secretary shall approve or deny a petition for an extension of a compliance deadline submitted by an owner or operator under this paragraph.

(ii) DEADLINE.—If the Secretary does not approve or deny a petition referred to in clause (i) on or before the last day of the 90-day period beginning on the date of submission of the petition, the petition shall be deemed approved.

(c) FUTURE REVISIONS OF VESSEL INCIDENTAL DISCHARGE STANDARDS; DECENNIAL REVIEWS.—

(1) REVISED BALLAST WATER DISCHARGE STANDARDS.—The Secretary, in consultation with the Administrator, shall complete a review, 10 years after the issuance of a final rule under subsection (b) and every 10 years thereafter, to determine whether further revision of the ballast water discharge standard would result in a scientifically demonstrable and substantial reduction in the risk of the introduction or establishment of aquatic nuisance species.

(2) REVISED STANDARDS FOR DISCHARGES OTHER THAN BALLAST WATER.—The Secretary, in consultation with the Administrator, may include in a decennial review under this subsection best management practices for discharges (including practices, limitations, or concentrations) covered by subsection (a)(2). The Secretary shall initiate a rulemaking to revise 1 or more best management practices for such discharges after a decennial review if the Secretary, in consultation with the Administrator, determines that revising 1 or more of such practices would substantially reduce the impacts on navigable waters of discharges incidental to the normal operation of a vessel other than ballast water.

(3) CONSIDERATIONS.—In conducting a review under paragraph (1), the Secretary, the Administrator, and the heads of other Federal agencies as the Secretary considers appropriate, shall consider the criteria under section 705(b)(2)(B).

(4) REVISION AFTER DECENNIAL REVIEW.—The Secretary shall initiate a rulemaking to revise the current ballast water discharge standard after a decennial review if the Secretary, in consultation with the Administrator, determines that revising the current ballast water discharge standard would result in a scientifically demonstrable and substantial reduction in the risk of the introduction or establishment of aquatic nuisance species.

(d) ALTERNATIVE BALLAST WATER MANAGEMENT REQUIREMENTS.—Nothing in this title may be construed to preclude the Secretary from authorizing the use of alternate means or methods of managing ballast water (including flow-through exchange, empty/refill exchange, and transfer to treatment facilities in place of a vessel ballast water management system required under this section) if the Secretary, in consultation with the Administrator, determines that such means or methods would not pose a greater risk of introduction of aquatic nuisance species in navigable waters than the use of a ballast water management system that achieves the applicable ballast water discharge standard.

(e) GREAT LAKES REQUIREMENTS.—In addition to the other standards and requirements imposed by this section, in the case of a vessel that enters the Great Lakes through the St. Lawrence River after operating outside the exclusive economic zone of the United States the Secretary, in consultation with the Administrator, shall establish a requirement that the vessel conduct saltwater flushing of all ballast water tanks onboard prior to entry.

SEC. 706. TREATMENT TECHNOLOGY CERTIFICATION.

(a) CERTIFICATION REQUIRED.—No manufacturer of a ballast water management system shall sell, offer for sale, or introduce or deliver for introduction into interstate commerce, or import into the United States for sale or resale, a ballast water management system for a vessel unless it has been certified under this section.

(b) CERTIFICATION PROCESS.—

(1) EVALUATION.—Upon application of a manufacturer, the Secretary shall evaluate a ballast water management system with respect to—

(A) the effectiveness of the management system in achieving the current ballast water discharge standard when installed on a vessel (or a class, type, or size of vessel);

(B) the compatibility with vessel design and operations;

(C) the effect of the management system on vessel safety;

(D) the impact on the environment;

(E) the cost effectiveness; and

(F) any other criteria the Secretary considers appropriate.

(2) APPROVAL.—If after an evaluation under paragraph (1) the Secretary determines that the management system meets the criteria, the Secretary may certify the management system for use on a vessel (or a class, type, or size of vessel).

(3) SUSPENSION AND REVOCATION.—The Secretary shall establish, by regulation, a process to suspend or revoke a certification issued under this section.

(c) CERTIFICATION CONDITIONS.—

(1) IMPOSITION OF CONDITIONS.—In certifying a ballast water management system under this section, the Secretary, in consultation with the Administrator, may impose any condition on the subsequent installation, use, or maintenance of the management system onboard a vessel as is necessary for—

(A) the safety of the vessel, the crew of the vessel, and any passengers aboard the vessel;

(B) the protection of the environment; or

(C) the effective operation of the management system.

(2) FAILURE TO COMPLY.—The failure of an owner or operator to comply with a condition imposed under paragraph (1) shall be considered a violation of this section.

(d) PERIOD FOR USE OF INSTALLED TREATMENT EQUIPMENT.—Notwithstanding anything to the contrary in this title or any other provision of law, the Secretary shall allow a vessel on which a management system is installed and operated to meet a ballast water discharge standard under this title to continue to use that system, notwithstanding any revision of a ballast water discharge standard occurring after the management system is ordered or installed until the expiration of the service life of the management system, as determined by the Secretary, if the management system—

(1) is maintained in proper working condition, as determined by the Secretary; and

(2) continues to meet the discharge standard in effect at the time of installation.

(e) CERTIFICATES OF TYPE APPROVAL FOR THE TREATMENT TECHNOLOGY.—

(1) ISSUANCE.—If the Secretary approves a ballast water management system for certification under subsection (b), the Secretary shall issue a certificate of type approval for the management system to the manufacturer in such form and manner as the Secretary determines appropriate.

(2) CERTIFICATION CONDITIONS.—A certificate of type approval issued under paragraph (1) shall specify each condition imposed by the Secretary under subsection (c).

(3) OWNERS AND OPERATORS.—A manufacturer that receives a certificate of type approval for the management system under this subsection shall provide a copy of the certificate to each owner and operator of a vessel on which the management system is installed.

(f) INSPECTIONS.—An owner or operator who receives a copy of a certificate under subsection (e)(3) shall retain a copy of the certificate onboard the vessel and make the copy of the certificate available for inspection at all times while the owner or operator is utilizing the management system.

(g) BIOCIDES.—The Secretary may not approve a ballast water management system under subsection (b) if—

(1) it uses a biocide or generates a biocide that is a pesticide, as defined in section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136), unless the biocide is registered under that Act or the Secretary, in consultation with Administrator, has approved the use of the biocide in such management system; or

(2) it uses or generates a biocide the discharge of which causes or contributes to a violation of a water quality standard under section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313).

(h) PROHIBITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the use of a ballast water management system by an owner or operator of a vessel shall not satisfy the requirements of this title unless it has been approved by the Secretary under subsection (b).

(2) EXCEPTIONS.—

(A) COAST GUARD SHIPBOARD TECHNOLOGY EVALUATION PROGRAM.—An owner or operator may use a ballast water management system that has not been certified by the Secretary to comply with the requirements of this section if the technology is being evaluated under the Coast Guard Shipboard Technology Evaluation Program.

(B) BALLAST WATER MANAGEMENT SYSTEMS CERTIFIED BY FOREIGN ENTITIES.—An owner or operator may use a ballast water management system that has not been certified by the Secretary to comply with the requirements of this section if the management system has been certified by a foreign entity and the certification demonstrates performance and safety of the management system equivalent to the requirements of this section, as determined by the Secretary.

(i) TESTING PROTOCOLS.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Administrator, shall issue requirements for land-based and shipboard testing protocols or criteria for—

(1) certifying the performance of each ballast water management system under this section; and

(2) certifying laboratories to evaluate such treatment technologies.

SEC. 707. EXEMPTIONS.

(a) INCIDENTAL DISCHARGES.—Except in a National Marine Sanctuary or a Marine National Monument, no permit shall be required or prohibition enforced under any other provision of law for, nor shall any standards regarding a discharge incidental to the normal operation of a vessel under this title apply to—

(1) a discharge incidental to the normal operation of a vessel if the vessel is less than 79 feet in length and engaged in commercial service (as such terms are defined in section 2101(5) of title 46, United States Code); or

(2) a discharge incidental to the normal operation of a vessel if the vessel is a fishing vessel, including a fish processing vessel and a fish tender vessel, (as defined in section 2101 of title 46, United States Code).

(b) DISCHARGES INTO NAVIGABLE WATERS.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any standards regarding a discharge incidental to the normal operation of a vessel under this title apply to—

(1) any discharge into navigable waters from a vessel authorized by an on-scene coordinator in accordance with part 300 of title 40, Code of Federal Regulations, or part 153 of title 33, Code of Federal Regulations;

(2) any discharge into navigable waters from a vessel that is necessary to secure the safety of the vessel or human life, or to suppress a fire onboard the vessel or at a shoreside facility; or

(3) a vessel of the armed forces of a foreign nation when engaged in noncommercial service.

(c) RECREATIONAL VESSEL DISCHARGES.—No permit shall be required, nor shall any standards be established, regarding a discharge incidental to the normal operation of a recreational vessel (as defined in section 2101(25) of title 46, United States Code) under this title.

(d) BALLAST WATER DISCHARGES.—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any ballast water discharge standard under this title apply to—

(1) a ballast water discharge incidental to the normal operation of a vessel determined by the Secretary to—

(A) operate exclusively within a geographically limited area;

(B) take up and discharge ballast water exclusively within 1 Captain of the Port Zone established by the Coast Guard unless the Secretary determines such discharge poses a substantial risk of introduction or establishment of an aquatic nuisance species;

(C) operate pursuant to a geographic restriction issued as a condition under section 3309 of title 46, United States Code, or an equivalent restriction issued by the country of registration of the vessel; or

(D) continuously take on and discharge ballast water in a flow-through system that does not introduce aquatic nuisance species into navigable waters;

(2) a ballast water discharge incidental to the normal operation of a vessel consisting entirely of water sourced from a United States public water system that meets the requirements under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) or from a foreign public water system determined by the Administrator to be suitable for human consumption; or

(3) a ballast water discharge incidental to the normal operation of a vessel in an alternative compliance program established pursuant to section 708.

(e) VESSELS WITH PERMANENT BALLAST WATER.—No permit shall be required or prohibition enforced regarding a ballast water discharge incidental to the normal operation of a vessel under any other provision of law for, nor shall any ballast water discharge standard under this title apply to, a vessel that carries all of its permanent ballast water in sealed tanks that are not subject to discharge.

(f) VESSELS OF THE ARMED FORCES.—Nothing in this title may be construed to apply to—

(1) a vessel owned or operated by the Department of Defense (other than a time-chartered or voyage-chartered vessel); or

(2) a vessel of the Coast Guard, as designated by the Secretary of the department in which the Coast Guard is operating.

SEC. 708. ALTERNATIVE COMPLIANCE PROGRAM.

(a) IN GENERAL.—The Secretary, in consultation with the Administrator, may promulgate regulations establishing 1 or more compliance programs as an alternative to ballast water management regulations issued under section 705 for a vessel that—

(1) has a maximum ballast water capacity of less than 8 cubic meters; or

(2) is less than 3 years from the end of the useful life of the vessel, as determined by the Secretary.

(b) RULEMAKING.—

(1) FACILITY STANDARDS.—Not later than 1 year after the date of the enactment of this Act, the Administrator, in consultation with the Secretary, shall promulgate standards for—

(A) the reception of ballast water from a vessel into a reception facility; and

(B) the disposal or treatment of the ballast water under paragraph (1).

(2) TRANSFER STANDARDS.—The Secretary, in consultation with the Administrator, is authorized to promulgate standards for the arrangements necessary on a vessel to transfer ballast water to a facility.

SEC. 709. JUDICIAL REVIEW.

(a) IN GENERAL.—An interested person may file a petition for review of a final regulation promulgated under this title in the United

States Court of Appeals for the District of Columbia Circuit.

(b) DEADLINE.—A petition shall be filed not later than 120 days after the date that notice of the promulgation appears in the Federal Register.

(c) EXCEPTION.—Notwithstanding subsection (b), a petition that is based solely on grounds that arise after the deadline to file a petition under subsection (b) has passed may be filed not later than 120 days after the date that the grounds first arise.

SEC. 710. EFFECT ON STATE AUTHORITY.

(a) IN GENERAL.—No State or political subdivision thereof may adopt or enforce any statute or regulation of the State or political subdivision with respect to a discharge incidental to the normal operation of a vessel after the date of enactment of this Act.

(b) SAVINGS CLAUSE.—Notwithstanding subsection (a), the Governor of a State may petition the Secretary to adopt a national ballast water discharge standard that is more stringent than the ballast water performance standard under section 705(a)(1)(A) upon a showing that—

(1) compliance with the proposed ballast water discharge standard can in fact be achieved and detected by a ballast water management system that is economically achievable and operationally practicable;

(2) the proposed ballast water discharge standard is consistent with obligations under relevant international treaties or agreements to which the United States is a party; and

(3) any other factors that the Secretary, in consultation with the Administrator, deems relevant.

(c) PETITION PROCESS.—

(1) SUBMISSION.—The Governor of a State shall submit a petition to the Secretary requesting the Secretary to review the statute or regulation.

(2) CONTENTS; TIMING.—A petition submitted under paragraph (1) shall be accompanied by the scientific and technical information on which the petition is based.

(3) DETERMINATIONS.—The Secretary shall make a determination on a petition under this subsection not later than 90 days after the date that the Secretary determines that a complete petition has been received.

SEC. 711. APPLICATION WITH OTHER STATUTES.

(a) EXCLUSIVE STATUTORY AUTHORITY.—Except as otherwise provided in this section and notwithstanding any other provision of law, this title shall be the exclusive statutory authority for regulation by the Federal Government of discharges incidental to the normal operation of a vessel to which this title applies.

(b) EFFECT OF EXISTING REGULATIONS.—Except as provided under section 705(a)(1)(A), any regulation in effect on the date immediately preceding the effective date of this Act relating to any permitting requirement for or prohibition on discharges incidental to the normal operation of a vessel to which this title applies—

(1) shall be deemed to be a regulation issued pursuant to the authority of this title; and

(2) shall remain in full force and effect unless or until superseded by new regulations issued under this title.

(c) ACT TO PREVENT POLLUTION FROM SHIPS.—The Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.) shall be the exclusive statutory authority for the regulation by the Federal Government of any discharge or emission that is covered under the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978, done at London February 17, 1978. Nothing in this title may be construed to alter or amend such Act or any regulation issued pursuant to the authority of such Act.

(d) TITLE X OF THE COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2010.—Title X of the Coast Guard and Maritime Transportation Act of 2010 (33 U.S.C. 3801 et seq.) shall be the exclusive statutory authority for the regulation by the Federal Government of any anti-fouling system that is covered under the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001. Nothing in this title may be construed to alter or amend such title X or any regulation issued pursuant to the authority under such title.

SEC. 712. RELATIONSHIP TO OTHER LAWS.

Section 1205 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4725) is amended—

(1) by striking ''All actions'' and inserting the following:

''(a) IN GENERAL.—Except as provided in subsection (b), all actions''; and

(2) by adding at the end the following:

''(b) VESSEL INCIDENTAL DISCHARGES.—Notwithstanding subsection (a), the Vessel Incidental Discharge Act shall be the exclusive statutory authority for the regulation by the Federal Government of discharges incidental to the normal operation of a vessel.''.

SEC. 713. SAVINGS PROVISION.

Any action taken by the Federal Government under this Act shall be in full compliance with its obligations under applicable provisions of international law.

TITLE VIII—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION SEXUAL HARASSMENT AND ASSAULT PREVENTION ACT

SEC. 801. SHORT TITLE.

This title may be cited as the ''National Oceanic and Atmospheric Administration Sexual Harassment and Assault Prevention Act''.

Subtitle A—Sexual Harassment and Assault Prevention at the National Oceanic and Atmospheric Administration

SEC. 811. ACTIONS TO ADDRESS SEXUAL HARASSMENT AT NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) REQUIRED POLICY.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce shall, acting through the Under Secretary for Oceans and Atmosphere, develop a policy on the prevention of and response to sexual harassment involving employees of the National Oceanic and Atmospheric Administration, members of the commissioned officer corps of the Administration, and individuals who work with or conduct business on behalf of the Administration.

(b) MATTERS TO BE SPECIFIED IN POLICY.—The policy developed under subsection (a) shall include—

(1) establishment of a program to promote awareness of the incidence of sexual harassment;

(2) clear procedures an individual should follow in the case of an occurrence of sexual harassment, including—

(A) a specification of the person or persons to whom an alleged occurrence of sexual harassment should be reported by an individual and options for confidential reporting, including—

(i) options and contact information for after-hours contact; and

(ii) procedure for obtaining assistance and reporting sexual harassment while working in a remote scientific field camp, at sea, or in another field status; and

(B) a specification of any other person whom the victim should contact;

(3) establishment of a mechanism by which—

(A) questions regarding sexual harassment can be confidentially asked and confidentially answered; and

(B) incidents of sexual harassment can be confidentially reported; and

(4) a prohibition on retaliation and consequences for retaliatory actions.

(c) CONSULTATION AND ASSISTANCE.—In developing the policy required by subsection (a), the Secretary may consult or receive assistance from such State, local, and national organizations and subject matter experts as the Secretary considers appropriate.

(d) AVAILABILITY OF POLICY.—The Secretary shall ensure that the policy developed under subsection (a) is available to—

(1) all employees of the Administration and members of the commissioned officer corps of the Administration, including those employees and members who conduct field work for the Administration; and

(2) the public.

(e) GEOGRAPHIC DISTRIBUTION OF EQUAL EMPLOYMENT OPPORTUNITY PERSONNEL.—The Secretary shall ensure that at least 1 employee of the Administration who is tasked with handling matters relating to equal employment opportunity or sexual harassment is stationed—

(1) in each region in which the Administration conducts operations; and

(2) in each marine and aviation center of the Administration.

(f) QUARTERLY REPORTS.—

(1) IN GENERAL.—Not less frequently than 4 times each year, the Director of the Civil Rights Office of the Administration shall submit to the Under Secretary a report on sexual harassment in the Administration.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include the following:

(A) Number of sexual harassment cases, both actionable and non-actionable, involving individuals covered by the policy developed under subsection (a).

(B) Number of open actionable sexual harassment cases and how long the cases have been open.

(C) Such trends or region specific issues as the Director may have discovered with respect to sexual harassment in the Administration.

(D) Such recommendations as the Director may have with respect to sexual harassment in the Administration.

SEC. 812. ACTIONS TO ADDRESS SEXUAL ASSAULT AT NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) COMPREHENSIVE POLICY ON PREVENTION AND RESPONSE TO SEXUAL ASSAULTS.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce shall, acting through the Under Secretary for Oceans and Atmosphere, develop a comprehensive policy on the prevention of and response to sexual assaults involving employees of the National Oceanic and Atmospheric Administration, members of the commissioned officer corps of the Administration, and individuals who work with or conduct business on behalf of the Administration.

(b) ELEMENTS OF COMPREHENSIVE POLICY.—The comprehensive policy developed under subsection (a) shall, at minimum, address the following matters:

(1) Prevention measures.

(2) Education and training on prevention and response.

(3) A list of support resources an individual may use in the occurrence of sexual assault, including—

(A) options and contact information for after-hours contact; and

(B) procedure for obtaining assistance and reporting sexual assault while working in a remote scientific field camp, at sea, or in another field status.

(4) Easy and ready availability of information described in paragraph (3).

(5) Establishing a mechanism by which—

(A) questions regarding sexual assault can be confidentially asked and confidentially answered; and

(B) incidents of sexual assault can be confidentially reported.

(6) Protocols for the investigation of complaints by command and law enforcement personnel.

(7) Prohibiting retaliation and consequences for retaliatory actions against someone who reports a sexual assault.

(8) Oversight by the Under Secretary of administrative and disciplinary actions in response to substantial incidents of sexual assault.

(9) Victim advocacy, including establishment of and the responsibilities and training requirements for victim advocates as described in subsection (c).

(10) Availability of resources for victims of sexual assault within other Federal agencies and State, local, and national organizations.

(c) VICTIM ADVOCACY.—

(1) IN GENERAL.—The Secretary, acting through the Under Secretary, shall establish victim advocates to advocate for victims of sexual assaults involving employees of the Administration, members of the commissioned officer corps of the Administration, and individuals who work with or conduct business on behalf of the Administration.

(2) VICTIM ADVOCATES.—For purposes of this subsection, a victim advocate is a permanent employee of the Administration who—

(A) is trained in matters relating to sexual assault and the comprehensive policy developed under subsection (a); and

(B) serves as a victim advocate voluntarily and in addition to the employee's other duties as an employee of the Administration.

(3) PRIMARY DUTIES.—The primary duties of a victim advocate established under paragraph (1) shall include the following:

(A) Supporting victims of sexual assault and informing them of their rights and the resources available to them as victims.

(B) Acting as a companion in navigating investigative, medical, mental and emotional health, and recovery processes relating to sexual assault.

(C) Helping to identify resources to ensure the safety of victims of sexual assault.

(4) LOCATION.—The Secretary shall ensure that at least 1 victim advocate established under paragraph (1) is stationed—

(A) in each region in which the Administration conducts operations; and

(B) in each marine and aviation center of the Administration.

(5) HOTLINE.—

(A) IN GENERAL.—In carrying out this subsection, the Secretary shall establish a telephone number at which a victim of a sexual assault can contact a victim advocate.

(B) 24-HOUR ACCESS.—The Secretary shall ensure that the telephone number established under subparagraph (A) is monitored at all times.

(6) FORMAL RELATIONSHIPS WITH OTHER ENTITIES.—The Secretary may enter into formal relationships with other entities to make available additional victim advocates.

(d) AVAILABILITY OF POLICY.—The Secretary shall ensure that the policy developed under subsection (a) is available to—

(1) all employees of the Administration and members of the commissioned officer corps of the Administration, including those employees and members who conduct field work for the Administration; and

(2) the public.

(e) CONSULTATION AND ASSISTANCE.—In developing the policy required by subsection (a), the Secretary may consult or receive assistance from such State, local, and national organizations and subject matter experts as the Secretary considers appropriate.

SEC. 813. RIGHTS OF THE VICTIM OF A SEXUAL ASSAULT.

A victim of a sexual assault covered by the comprehensive policy developed under section 812(a) has the right to be reasonably protected from the accused.

SEC. 814. CHANGE OF STATION.

(a) CHANGE OF STATION, UNIT TRANSFER, OR CHANGE OF WORK LOCATION OF VICTIMS.—

(1) TIMELY CONSIDERATION AND ACTION UPON REQUEST.—The Secretary of Commerce, acting through the Under Secretary for Oceans and Atmosphere, shall—

(A) in the case of a member of the commissioned officer corps of the National Oceanic and Atmospheric Administration who was a victim of a sexual assault, in order to reduce the possibility of retaliation or further sexual assault, provide for timely determination and action on an application submitted by the victim for consideration of a change of station or unit transfer of the victim; and

(B) in the case of an employee of the Administration who was a victim of a sexual assault, to the degree practicable and in order to reduce the possibility of retaliation against the employee for reporting the sexual assault, accommodate a request for a change of work location of the victim.

(2) PROCEDURES.—

(A) PERIOD FOR APPROVAL AND DISAPPROVAL.—The Secretary, acting through the Under Secretary, shall ensure that an application or request submitted under paragraph (1) for a change of station, unit transfer, or change of work location is approved or denied within 72 hours of the submission of the application or request.

(B) REVIEW.—If an application or request submitted under paragraph (1) by a victim of a sexual assault for a change of station, unit transfer, or change of work location of the victim is denied—

(i) the victim may request the Secretary review the denial; and

(ii) the Secretary, acting through the Under Secretary, shall, not later than 72 hours after receiving such request, affirm or overturn the denial.

(b) CHANGE OF STATION, UNIT TRANSFER, AND CHANGE OF WORK LOCATION OF ALLEGED PERPETRATORS.—

(1) IN GENERAL.—The Secretary, acting through the Under Secretary, shall develop a policy for the protection of victims of sexual assault described in subsection (a)(1) by providing the alleged perpetrator of the sexual assault with a change of station, unit transfer, or change of work location, as the case may be, if the alleged perpetrator is a member of the commissioned officer corps of the Administration or an employee of the Administration.

(2) POLICY REQUIREMENTS.—The policy required by paragraph (1) shall include the following:

(A) A means to control access to the victim.

(B) Due process for the victim and the alleged perpetrator.

(c) REGULATIONS.—

(1) IN GENERAL.—The Secretary shall promulgate regulations to carry out this section.

(2) CONSISTENCY.—When practicable, the Secretary shall make regulations promulgated under this section consistent with similar regulations promulgated by the Secretary of Defense.

SEC. 815. APPLICABILITY OF POLICIES TO CREWS OF VESSELS SECURED BY NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION UNDER CONTRACT.

The Under Secretary for Oceans and Atmosphere shall ensure that each contract into which the Under Secretary enters for the use of a vessel by the National Oceanic and Atmospheric Administration that covers the crew of the vessel, if any, shall include as a condition of the contract a provision that subjects such crew to the policy developed under section 811(a) and the comprehensive policy developed under section 812(a).

SEC. 816. ANNUAL REPORT ON SEXUAL ASSAULTS IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

(a) IN GENERAL.—Not later than January 15 of each year, the Secretary of Commerce shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a report on the sexual assaults involving employees of the National Oceanic and Atmospheric Administration, members of the commissioned officer corps of the Administration, and individuals who work with or conduct business on behalf of the Administration.

(b) CONTENTS.—Each report submitted under subsection (a) shall include, with respect to the previous calendar year, the following:

(1) The number of alleged sexual assaults involving employees, members, and individuals described in subsection (a).

(2) A synopsis of each case and the disciplinary action taken, if any, in each case.

(3) The policies, procedures, and processes implemented by the Secretary, and any updates or revisions to such policies, procedures, and processes.

(4) A summary of the reports received by the Under Secretary for Oceans and Atmosphere under section 811(f).

(c) PRIVACY PROTECTION.—In preparing and submitting a report under subsection (a), the Secretary shall ensure that no individual involved in an alleged sexual assault can be identified by the contents of the report.

SEC. 817. DEFINITION.

In this subtitle, the term ''sexual assault'' shall have the meaning given such term in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).

Subtitle B—Commissioned Officer Corps of the National Oceanic and Atmospheric Administration

SEC. 820. REFERENCES TO NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001 et seq.).

PART I—GENERAL PROVISIONS

SEC. 821. STRENGTH AND DISTRIBUTION IN GRADE.

Section 214 (33 U.S.C. 3004) is amended to read as follows:

''SEC. 214. STRENGTH AND DISTRIBUTION IN GRADE.

''(a) GRADES.—The commissioned grades in the commissioned officer corps of the Administration are the following, in relative rank with officers of the Navy:

''(1) Vice admiral.

''(2) Rear admiral.

''(3) Rear admiral (lower half).

''(4) Captain.

''(5) Commander.

''(6) Lieutenant commander.

''(7) Lieutenant.

''(8) Lieutenant (junior grade).

''(9) Ensign.

''(b) GRADE DISTRIBUTION.—The Secretary shall prescribe, with respect to the distribution on the lineal list in grade, the percentages applicable to the grades set forth in subsection (a).

''(c) ANNUAL COMPUTATION OF NUMBER IN GRADE.—

''(1) IN GENERAL.—Not less frequently than once each year, the Secretary shall make a computation to determine the number of officers on the lineal list authorized to be serving in each grade.

''(2) METHOD OF COMPUTATION.—The number in each grade shall be computed by applying the applicable percentage to the total number of such officers serving on active duty on the date the computation is made.

''(3) FRACTIONS.—If a final fraction occurs in computing the authorized number of officers in a grade, the nearest whole number shall be taken. If the fraction is ½, the next higher whole number shall be taken.

''(d) TEMPORARY INCREASE IN NUMBERS.—The total number of officers authorized by law to be on the lineal list during a fiscal year may be temporarily exceeded if the average number on

that list during that fiscal year does not exceed the authorized number.

''(e) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Officers serving in positions designated under section 228(a) and officers recalled from retired status shall not be counted when computing authorized strengths under subsection (c) and shall not count against those strengths.

''(f) PRESERVATION OF GRADE AND PAY.—No officer may be reduced in grade or pay or separated from the commissioned officer corps of the Administration as the result of a computation made to determine the authorized number of officers in the various grades.''.

SEC. 822. RECALLED OFFICERS.

Section 215 (33 U.S.C. 3005) is amended—

(1) in the matter before paragraph (1), by striking ''Effective'' and inserting the following:

''(a) IN GENERAL.—Effective''; and

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

''(b) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Officers serving in positions designated under section 228 and officers recalled from retired status—

''(1) may not be counted in determining the total number of authorized officers on the lineal list under this section; and

''(2) may not count against such number.''.

SEC. 823. OBLIGATED SERVICE REQUIREMENT.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.) is amended by adding at the end the following:

''SEC. 216. OBLIGATED SERVICE REQUIREMENT.

''(a) IN GENERAL.—

''(1) RULEMAKING.—The Secretary shall prescribe the obligated service requirements for appointments, training, promotions, separations, continuations, and retirement of officers not otherwise covered by law.

''(2) WRITTEN AGREEMENTS.—The Secretary and officers shall enter into written agreements that describe the officers' obligated service requirements prescribed under paragraph (1) in return for such appointments, training, promotions, separations, and retirements as the Secretary considers appropriate.

''(b) REPAYMENT FOR FAILURE TO SATISFY REQUIREMENTS.—

''(1) IN GENERAL.—The Secretary may require an officer who fails to meet the service requirements prescribed under subsection (a)(1) to reimburse the Secretary in an amount that bears the same ratio to the total costs of the training provided to that officer by the Secretary as the unserved portion of active duty bears to the total period of active duty the officer agreed to serve.

''(2) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to reimburse the Secretary under paragraph (1) shall be considered for all purposes as a debt owed to the United States.

''(3) DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11 that is entered less than 5 years after the termination of a written agreement entered into under subsection (a)(2) does not discharge the individual signing the agreement from a debt arising under such agreement.

''(c) WAIVER OR SUSPENSION OF COMPLIANCE.—The Secretary may waive the service obligation of an officer who—

''(1) becomes unqualified to serve on active duty in the commissioned officer corps of the Administration because of a circumstance not within the control of that officer; or

''(2) is—

''(A) not physically qualified for appointment; and

''(B) determined to be unqualified for service in the commissioned officer corps of the Administration because of a physical or medical condition that was not the result of the officer's own misconduct or grossly negligent conduct.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 215 the following:

''Sec. 216. Obligated service requirement.''.

SEC. 824. TRAINING AND PHYSICAL FITNESS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 823(a), is further amended by adding at the end the following:

''SEC. 217. TRAINING AND PHYSICAL FITNESS.

''(a) TRAINING.—The Secretary may take such measures as may be necessary to ensure that officers are prepared to carry out their duties in the commissioned officer corps of the Administration and proficient in the skills necessary to carry out such duties. Such measures may include the following:

''(1) Carrying out training programs and correspondence courses, including establishing and operating a basic officer training program to provide initial indoctrination and maritime vocational training for officer candidates as well as refresher training, mid-career training, aviation training, and such other training as the Secretary considers necessary for officer development and proficiency.

''(2) Providing officers and officer candidates with books and school supplies.

''(3) Acquiring such equipment as may be necessary for training and instructional purposes.

''(b) PHYSICAL FITNESS.—The Secretary shall ensure that officers maintain a high physical state of readiness by establishing standards of physical fitness for officers that are substantially equivalent to those prescribed for officers in the Coast Guard.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 823(b), is further amended by inserting after the item relating to section 216 the following:

''Sec. 217. Training and physical fitness.''.

SEC. 825. RECRUITING MATERIALS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 824(a), is further amended by adding at the end the following:

''SEC. 218. USE OF RECRUITING MATERIALS FOR PUBLIC RELATIONS.

''The Secretary may use for public relations purposes of the Department of Commerce any advertising materials developed for use for recruitment and retention of personnel for the commissioned officer corps of the Administration. Any such use shall be under such conditions and subject to such restrictions as the Secretary shall prescribe.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 824(b), is further amended by inserting after the item relating to section 217 the following:

''Sec. 218. Use of recruiting materials for public relations.''.

SEC. 826. CHARTER VESSEL SAFETY POLICY.

(a) POLICY REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce shall, acting through the Under Secretary for Oceans and Atmosphere, develop and implement a charter vessel safety policy applicable to the acquisition by the National Oceanic and Atmospheric Administration of charter vessel services.

(b) ELEMENTS.—The policy required by subsection (a) shall address vessel safety, operational safety, and basic personnel safety requirements applicable to the vessel size, type, and intended use. At a minimum, the policy shall include the following:

(1) Basic vessel safety requirements that address stability, egress, fire protection and lifesaving equipment, hazardous materials, and pollution control.

(2) Personnel safety requirements that address crew qualifications, medical training and services, safety briefings and drills, and crew habitability.

(c) LIMITATION.—The Secretary shall ensure that the basic vessel safety requirements and personnel safety requirements included in the policy required by subsection (a)—

(1) do not exceed the vessel safety requirements and personnel safety requirements promulgated by the Secretary of the department in which the Coast Guard is operating; and

(2) to the degree practicable, are consistent with the requirements described in paragraph (1).

SEC. 827. TECHNICAL CORRECTION.

Section 101(21)(C) of title 38, United States Code, is amended by inserting ''in the commissioned officer corps'' before ''of the National''.

PART II—PARITY AND RECRUITMENT

SEC. 831. EDUCATION LOANS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.) is amended by adding at the end the following:

''SEC. 267. EDUCATION LOAN REPAYMENT PROGRAM.

''(a) AUTHORITY TO REPAY EDUCATION LOANS.—For the purpose of maintaining adequate numbers of officers of the commissioned officer corps of the Administration on active duty who have skills required by the commissioned officer corps, the Secretary may repay, in the case of a person described in subsection (b), a loan that—

''(1) was used by the person to finance education; and

''(2) was obtained from a governmental entity, private financial institution, educational institution, or other authorized entity.

''(b) ELIGIBLE PERSONS.—To be eligible to obtain a loan repayment under this section, a person must—

''(1) satisfy 1 of the requirements specified in subsection (c);

''(2) be fully qualified for, or hold, an appointment as a commissioned officer in the commissioned officer corps of the Administration; and

''(3) sign a written agreement to serve on active duty, or, if on active duty, to remain on active duty for a period in addition to any other incurred active duty obligation.

''(c) ACADEMIC AND PROFESSIONAL REQUIREMENTS.—One of the following academic requirements must be satisfied for purposes of determining the eligibility of an individual for a loan repayment under this section:

''(1) The person is fully qualified in a profession that the Secretary has determined to be necessary to meet identified skill shortages in the commissioned officer corps.

''(2) The person is enrolled as a full-time student in the final year of a course of study at an accredited educational institution (as determined by the Secretary of Education) leading to a degree in a profession that will meet identified skill shortages in the commissioned officer corps.

''(d) LOAN REPAYMENTS.—

''(1) IN GENERAL.—Subject to the limits established under paragraph (2), a loan repayment under this section may consist of the payment of the principal, interest, and related expenses of a loan obtained by a person described in subsection (b).

''(2) LIMITATION ON AMOUNT.—For each year of obligated service that a person agrees to serve in an agreement described in subsection (b)(3), the Secretary may pay not more than the amount specified in section 2173(e)(2) of title 10, United States Code.

''(e) ACTIVE DUTY SERVICE OBLIGATION.—

''(1) IN GENERAL.—A person entering into an agreement described in subsection (b)(3) incurs an active duty service obligation.

''(2) LENGTH OF OBLIGATION DETERMINED UNDER REGULATIONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the length of the obligation under paragraph (1) shall be determined under regulations prescribed by the Secretary.

''(B) MINIMUM OBLIGATION.—The regulations prescribed under subparagraph (A) may not provide for a period of obligation of less than 1 year for each maximum annual amount, or portion thereof, paid on behalf of the person for qualified loans.

''(3) PERSONS ON ACTIVE DUTY BEFORE ENTERING INTO AGREEMENT.—The active duty service obligation of persons on active duty before entering into the agreement shall be served after the conclusion of any other obligation incurred under the agreement.

''(f) EFFECT OF FAILURE TO COMPLETE OBLIGATION.—

''(1) ALTERNATIVE OBLIGATIONS.—An officer who is relieved of the officer's active duty obligation under this section before the completion of that obligation may be given any alternative obligation, at the discretion of the Secretary.

''(2) REPAYMENT.—An officer who does not complete the period of active duty specified in the agreement entered into under subsection (b)(3), or the alternative obligation imposed under paragraph (1), shall be subject to the repayment provisions under section 216.

''(g) RULEMAKING.—The Secretary shall prescribe regulations to carry out this section, including—

''(1) standards for qualified loans and authorized payees; and

''(2) other terms and conditions for the making of loan repayments.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 266 the following:

''Sec. 267. Education loan repayment program.''.

SEC. 832. INTEREST PAYMENTS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by section 831(a), is further amended by adding at the end the following:

''SEC. 268. INTEREST PAYMENT PROGRAM.

''(a) AUTHORITY.—The Secretary may pay the interest and any special allowances that accrue on 1 or more student loans of an eligible officer, in accordance with this section.

''(b) ELIGIBLE OFFICERS.—An officer is eligible for the benefit described in subsection (a) while the officer—

''(1) is serving on active duty;

''(2) has not completed more than 3 years of service on active duty;

''(3) is the debtor on 1 or more unpaid loans described in subsection (c); and

''(4) is not in default on any such loan.

''(c) STUDENT LOANS.—The authority to make payments under subsection (a) may be exercised with respect to the following loans:

''(1) A loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.).

''(2) A loan made under part D of such title (20 U.S.C. 1087a et seq.).

''(3) A loan made under part E of such title (20 U.S.C. 1087aa et seq.).

''(d) MAXIMUM BENEFIT.—Interest and any special allowance may be paid on behalf of an officer under this section for any of the 36 consecutive months during which the officer is eligible under subsection (b).

''(e) FUNDS FOR PAYMENTS.—The Secretary may use amounts appropriated for the pay and allowances of personnel of the commissioned officer corps of the Administration for payments under this section.

''(f) COORDINATION WITH SECRETARY OF EDUCATION.—

''(1) IN GENERAL.—The Secretary shall consult with the Secretary of Education regarding the administration of this section.

''(2) TRANSFER OF FUNDS.—The Secretary shall transfer to the Secretary of Education the funds necessary—

''(A) to pay interest and special allowances on student loans under this section (in accordance with sections 428(o), 455(l), and 464(j) of the Higher Education Act of 1965 (20 U.S.C. 1078(o), 1087e(l), and 1087dd(j)); and

''(B) to reimburse the Secretary of Education for any reasonable administrative costs incurred by the Secretary in coordinating the program under this section with the administration of the student loan programs under parts B, D, and E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., 1087aa et seq.).

''(g) SPECIAL ALLOWANCE DEFINED.—In this section, the term 'special allowance' means a special allowance that is payable under section 438 of the Higher Education Act of 1965 (20 U.S.C. 1087–1).''.

(b) CONFORMING AMENDMENTS.—

(1) Section 428(o) of the Higher Education Act of 1965 (20 U.S.C. 1078(o)) is amended—

(A) by striking the subsection heading and inserting ''ARMED FORCES AND NOAA COMMISSIONED OFFICER CORPS STUDENT LOAN INTEREST PAYMENT PROGRAMS''; and

(B) in paragraph (1)—

(i) by inserting ''or section 264 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002'' after ''Code,''; and

(ii) by inserting ''or an officer in the commissioned officer corps of the National Oceanic and Atmospheric Administration, respectively,'' after ''Armed Forces''.

(2) Sections 455(l) and 464(j) of the Higher Education Act of 1965 (20 U.S.C. 1087e(l) and 1087dd(j)) are each amended—

(A) by striking the subsection heading and inserting ''ARMED FORCES AND NOAA COMMISSIONED OFFICER CORPS STUDENT LOAN INTEREST PAYMENT PROGRAMS''; and

(B) in paragraph (1)—

(i) by inserting ''or section 264 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002'' after ''Code,''; and

(ii) by inserting ''or an officer in the commissioned officer corps of the National Oceanic and Atmospheric Administration, respectively'' after ''Armed Forces''.

(c) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 831(b), is further amended by inserting after the item relating to section 267 the following:

''Sec. 268. Interest payment program.''.

SEC. 833. STUDENT PRE-COMMISSIONING PROGRAM.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by section 832(a), is further amended by adding at the end the following:

''SEC. 269. STUDENT PRE-COMMISSIONING EDUCATION ASSISTANCE PROGRAM.

''(a) AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE.—For the purpose of maintaining adequate numbers of officers of the commissioned officer corps of the Administration on active duty, the Secretary may provide financial assistance to a person described in subsection (b) for expenses of the person while the person is pursuing on a full-time basis at an accredited educational institution (as determined by the Secretary of Education) a program of education approved by the Secretary that leads to—

''(1) a baccalaureate degree in not more than 5 academic years; or

''(2) a postbaccalaureate degree.

''(b) ELIGIBLE PERSONS.—

''(1) IN GENERAL.—A person is eligible to obtain financial assistance under subsection (a) if the person—

''(A) is enrolled on a full-time basis in a program of education referred to in subsection (a) at any educational institution described in such subsection;

''(B) meets all of the requirements for acceptance into the commissioned officer corps of the Administration except for the completion of a baccalaureate degree; and

''(C) enters into a written agreement with the Secretary described in paragraph (2).

''(2) AGREEMENT.—A written agreement referred to in paragraph (1)(C) is an agreement between the person and the Secretary in which the person agrees—

''(A) to accept an appointment as an officer, if tendered; and

''(B) upon completion of the person's educational program, agrees to serve on active duty, immediately after appointment, for—

''(i) up to 3 years if the person received less than 3 years of assistance; and

''(ii) up to 5 years if the person received at least 3 years of assistance.

''(c) QUALIFYING EXPENSES.—Expenses for which financial assistance may be provided under subsection (a) are the following:

''(1) Tuition and fees charged by the educational institution involved.

''(2) The cost of books.

''(3) In the case of a program of education leading to a baccalaureate degree, laboratory expenses.

''(4) Such other expenses as the Secretary considers appropriate.

''(d) LIMITATION ON AMOUNT.—The Secretary shall prescribe the amount of financial assistance provided to a person under subsection (a), which may not exceed the amount specified in section 2173(e)(2) of title 10, United States Code, for each year of obligated service that a person agrees to serve in an agreement described in subsection (b)(2).

''(e) DURATION OF ASSISTANCE.—Financial assistance may be provided to a person under subsection (a) for not more than 5 consecutive academic years.

''(f) SUBSISTENCE ALLOWANCE.—

''(1) IN GENERAL.—A person who receives financial assistance under subsection (a) shall be entitled to a monthly subsistence allowance at a rate prescribed under paragraph (2) for the duration of the period for which the person receives such financial assistance.

''(2) DETERMINATION OF AMOUNT.—The Secretary shall prescribe monthly rates for subsistence allowance provided under paragraph (1), which shall be equal to the amount specified in section 2144(a) of title 10, United States Code.

''(g) INITIAL CLOTHING ALLOWANCE.—

''(1) TRAINING.—The Secretary may prescribe a sum which shall be credited to each person who receives financial assistance under subsection (a) to cover the cost of the person's initial clothing and equipment issue.

''(2) APPOINTMENT.—Upon completion of the program of education for which a person receives financial assistance under subsection (a) and acceptance of appointment in the commissioned officer corps of the Administration, the person may be issued a subsequent clothing allowance equivalent to that normally provided to a newly appointed officer.

''(h) TERMINATION OF FINANCIAL ASSISTANCE.—

''(1) IN GENERAL.—The Secretary shall terminate the assistance provided to a person under this section if—

''(A) the Secretary accepts a request by the person to be released from an agreement described in subsection (b)(2);

''(B) the misconduct of the person results in a failure to complete the period of active duty required under the agreement; or

''(C) the person fails to fulfill any term or condition of the agreement.

''(2) REIMBURSEMENT.—The Secretary may require a person who receives assistance described in subsection (c), (f), or (g) under an agreement entered into under subsection (b)(1)(C) to reimburse the Secretary in an amount that bears the same ratio to the total costs of the assistance provided to that person as the unserved portion of active duty bears to the total period of active duty the officer agreed to serve under the agreement.

''(3) WAIVER.—The Secretary may waive the service obligation of a person through an agreement entered into under subsection (b)(1)(C) if the person—

''(A) becomes unqualified to serve on active duty in the commissioned officer corps of the Administration because of a circumstance not within the control of that person; or

''(B) is—

''(i) not physically qualified for appointment; and

''(ii) determined to be unqualified for service in the commissioned officer corps of the Administration because of a physical or medical condition that was not the result of the person's own misconduct or grossly negligent conduct.

''(4) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to reimburse the Secretary imposed under paragraph (2) is, for all purposes, a debt owed to the United States.

''(5) DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11, United States Code, that is entered less than 5 years after the termination of a written agreement entered into under subsection (b)(1)(C) does not discharge the person signing the agreement from a debt arising under such agreement or under paragraph (2).

''(i) REGULATIONS.—The Secretary may promulgate such regulations and orders as the Secretary considers appropriate to carry out this section.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 832(c), is further amended by inserting after the item relating to section 268 the following:

''Sec. 269. Student pre-commissioning education assistance program.''.

SEC. 834. LIMITATION ON EDUCATIONAL ASSISTANCE.

(a) IN GENERAL.—Each fiscal year, beginning with fiscal year 2013, the Secretary of Commerce shall ensure that the total amount expended by the Secretary under section 267 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (as added by section 831(a)), section 268 of such Act (as added by section 832(a)), and section 269 of such Act (as added by section 833(a)) does not exceed the amount by which—

(1) the total amount the Secretary would pay in that fiscal year to officer candidates under section 203(f)(1) of title 37, United States Code (as added by section 246(d)), if such section entitled officers candidates to pay at monthly rates equal to the basic pay of a commissioned officer in the pay grade O–1 with less than 2 years of service; exceeds

(2) the total amount the Secretary actually pays in that fiscal year to officer candidates under section 203(f)(1) of such title (as so added).

(b) OFFICER CANDIDATE DEFINED.—In this section, the term ''officer candidate'' has the meaning given the term in section 212 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3002), as added by section 856(c).

SEC. 835. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 10, UNITED STATES CODE, AND EXTENSION OF CERTAIN AUTHORITIES APPLICABLE TO MEMBERS OF THE ARMED FORCES TO COMMISSIONED OFFICER CORPS.

(a) APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 10.—Section 261(a) (33 U.S.C. 3071(a)) is amended—

(1) by redesignating paragraphs (13) through (16) as paragraphs (20) through (23), respectively;

(2) by redesignating paragraphs (7) through (12) as paragraphs (12) through (17), respectively;

(3) by redesignating paragraphs (4) through (6) as paragraphs (8) through (10), respectively;

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

''(4) Section 771, relating to unauthorized wearing of uniforms.

''(5) Section 774, relating to wearing religious apparel while in uniform.

''(6) Section 982, relating to service on State and local juries.

''(7) Section 1031, relating to administration of oaths.'';

(5) by inserting after paragraph (10), as redesignated, the following:

''(11) Chapter 58, relating to the Benefits and Services for members being separated or recently separated.''; and

(6) by inserting after paragraph (17), as redesignated, the following:

''(18) Subchapter I of chapter 88, relating to Military Family Programs.

''(19) Section 2005, relating to advanced education assistance, active duty agreements, and reimbursement requirements.''.

(b) EXTENSION OF CERTAIN AUTHORITIES.—

(1) NOTARIAL SERVICES.—Section 1044a of title 10, United States Code, is amended—

(A) in subsection (a)(1), by striking ''armed forces'' and inserting ''uniformed services''; and

(B) in subsection (b)(4), by striking ''armed forces'' both places it appears and inserting ''uniformed services''.

(2) ACCEPTANCE OF VOLUNTARY SERVICES FOR PROGRAMS SERVING MEMBERS AND THEIR FAMILIES.—Section 1588 of such title is amended—

(A) in subsection (a)(3), by striking ''armed forces'' and inserting ''uniformed services''; and

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

''(g) SECRETARY CONCERNED FOR ACCEPTANCE OF SERVICES FOR PROGRAMS SERVING MEMBERS OF NOAA AND THEIR FAMILIES.—For purposes of the acceptance of services described in subsection (a)(3), the term 'Secretary concerned' in subsection (a) shall include the Secretary of Commerce with respect to members of the National Oceanic and Atmospheric Administration.''.

(3) CAPSTONE COURSE FOR NEWLY SELECTED FLAG OFFICERS.—Section 2153 of such title is amended—

(A) in subsection (a)—

(i) by inserting ''or the commissioned corps of the National Oceanic and Atmospheric Administration'' after ''in the case of the Navy''; and

(ii) by striking ''other armed forces'' and inserting ''other uniformed services''; and

(B) in subsection (b)(1), by inserting ''or the Secretary of Commerce, as applicable,'' after ''the Secretary of Defense''.

SEC. 836. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 37, UNITED STATES CODE.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.) is amended by inserting after section 261 the following:

''SEC. 261A. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 37, UNITED STATES CODE.

''(a) PROVISIONS MADE APPLICABLE TO COMMISSIONED OFFICER CORPS.—The provisions of law applicable to the Armed Forces under the following provisions of title 37, United States Code, shall apply to the commissioned officer corps of the Administration:

''(1) Section 324, relating to accession bonuses for new officers in critical skills.

''(2) Section 403(f)(3), relating to prescribing regulations defining the terms 'field duty' and 'sea duty'.

''(3) Section 403(l), relating to temporary continuation of housing allowance for dependents of members dying on active duty.

''(4) Section 414(a)(2), relating to personal money allowance while serving as Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps.

''(5) Section 488, relating to allowances for recruiting expenses.

''(6) Section 495, relating to allowances for funeral honors duty.

''(b) REFERENCES.—The authority vested by title 37, United States Code, in the 'military departments', 'the Secretary concerned', or 'the Secretary of Defense' with respect to the provisions of law referred to in subsection (a) shall be exercised, with respect to the commissioned officer corps of the Administration, by the Secretary of Commerce or the Secretary's designee.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 261 the following:

''Sec. 261A. Applicability of certain provisions of title 37, United States Code.''.

SEC. 837. LEGION OF MERIT AWARD.

Section 1121 of title 10, United States Code, is amended by striking ''armed forces'' and inserting ''uniformed services''.

SEC. 838. PROHIBITION ON RETALIATORY PERSONNEL ACTIONS.

(a) IN GENERAL.—Subsection (a) of section 261 (33 U.S.C. 3071), as amended by section 835, is further amended—

(1) by redesignating paragraphs (8) through (23) as paragraphs (9) through (24), respectively; and

(2) by inserting after paragraph (7) the following:

''(8) Section 1034, relating to protected communications and prohibition of retaliatory personnel actions.''.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by adding at the end the following: ''For purposes of paragraph (8) of subsection (a), the term 'Inspector General' in section 1034 of such title 10 shall mean the Inspector General of the Department of Commerce.''.

(c) REGULATIONS.—Such section is further amended by adding at the end the following:

''(c) REGULATIONS REGARDING PROTECTED COMMUNICATIONS AND PROHIBITION OF RETALIATORY PERSONNEL ACTIONS.—The Secretary may promulgate regulations to carry out the application of section 1034 of title 10, United States Code, to the commissioned officer corps of the Administration, including by promulgating such administrative procedures for investigation and appeal within the commissioned officer corps as the Secretary considers appropriate.''.

SEC. 839. PENALTIES FOR WEARING UNIFORM WITHOUT AUTHORITY.

Section 702 of title 18, United States Code, is amended by striking ''Service or any'' and inserting ''Service, the commissioned officer corps of the National Oceanic and Atmospheric Administration, or any''.

SEC. 840. APPLICATION OF CERTAIN PROVISIONS OF COMPETITIVE SERVICE LAW.

Section 3304(f) of title 5, United States Code, is amended—

(1) in paragraph (1), by inserting ''and members of the commissioned officer corps of the National Oceanic and Atmospheric Administration (or its predecessor organization the Coast and Geodetic Survey) separated from such uniformed service'' after ''separated from the armed forces'';

(2) in paragraph (2), by striking ''or veteran'' and inserting '', veteran, or member''; and

(3) in paragraph (4), by inserting ''and members of the commissioned officer corps of the National Oceanic and Atmospheric Administration (or its predecessor organization the Coast and Geodetic Survey) separated from such uniformed service'' after ''separated from the armed forces''.

SEC. 841. EMPLOYMENT AND REEMPLOYMENT RIGHTS.

Section 4303(16) of title 38, United States Code, is amended by inserting ''the commissioned officer corps of the National Oceanic and Atmospheric Administration,'' after ''Public Health Service,''.

SEC. 842. TREATMENT OF COMMISSION IN COMMISSIONED OFFICER CORPS FOR PURPOSES OF CERTAIN HIRING DECISIONS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by this subtitle, is further amended by adding at the end the following:

''SEC. 269A. TREATMENT OF COMMISSION IN COMMISSIONED OFFICER CORPS AS EMPLOYMENT IN ADMINISTRATION FOR PURPOSES OF CERTAIN HIRING DECISIONS.

''(a) IN GENERAL.—In any case in which the Secretary accepts an application for a position of employment with the Administration and limits consideration of applications for such position to applications submitted by individuals serving in a career or career-conditional position in the competitive service within the Administration, the Secretary shall deem an officer who has served as an officer in the commissioned officer corps for at least 3 years to be serving in a career or career-conditional position in the competitive service within the Administration for purposes of such limitation.

''(b) CAREER APPOINTMENTS.—If the Secretary selects an application submitted by an officer described in subsection (a) for a position described in such subsection, the Secretary shall give such officer a career or career-conditional appointment in the competitive service, as appropriate.

''(c) COMPETITIVE SERVICE DEFINED.—In this section, the term 'competitive service' has the meaning given the term in section 2102 of title 5, United States Code.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 269, as added by this subtitle, the following new item:

''Sec. 269A. Treatment of commission in commissioned officer corps as employment in Administration for purposes of certain hiring decisions.''.

SEC. 843. DIRECT HIRE AUTHORITY.

(a) IN GENERAL.—The head of a Federal agency may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of such title, a qualified candidate described subsection (b) directly to a position in the agency for which the candidate meets qualification standards of the Office of Personnel Management.

(b) CANDIDATES DESCRIBED.—A candidate described in this subsection is a current or former member of the commissioned officer corps of the National Oceanic and Atmospheric Administration who—

(1) fulfilled his or her obligated service requirement under section 216 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, as added by section 823;

(2) if no longer a member of the commissioned officer corps of the Administration, was discharged or released therefrom; and

(3) has been separated or released from service in the commissioned officer corps of the Administration for a period of not more than 5 years.

(c) EFFECTIVE DATE.—This section shall apply with respect to appointments made in fiscal year 2016 and in each fiscal year thereafter.

PART III—APPOINTMENTS AND PROMOTION OF OFFICERS

SEC. 851. APPOINTMENTS.

(a) ORIGINAL APPOINTMENTS.—

(1) IN GENERAL.—Section 221 (33 U.S.C. 3021) is amended to read as follows:

''SEC. 221. ORIGINAL APPOINTMENTS AND REAPPOINTMENTS.

''(a) ORIGINAL APPOINTMENTS.—

''(1) GRADES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an original appointment of an officer may be made in such grades as may be appropriate for—

''(i) the qualification, experience, and length of service of the appointee; and

''(ii) the commissioned officer corps of the Administration.

''(B) APPOINTMENT OF OFFICER CANDIDATES.—

''(i) LIMITATION ON GRADE.—An original appointment of an officer candidate, upon graduation from the basic officer training program of the commissioned officer corps of the Administration, may not be made in any other grade than ensign.

''(ii) RANK.—Officer candidates receiving appointments as ensigns upon graduation from basic officer training program shall take rank according to their proficiency as shown by the order of their merit at date of graduation.

''(2) SOURCE OF APPOINTMENTS.—An original appointment may be made from among the following:

''(A) Graduates of the basic officer training program of the commissioned officer corps of the Administration.

''(B) Graduates of the military service academies of the United States who otherwise meet the academic standards for enrollment in the training program described in subparagraph (A).

''(C) Graduates of the maritime academies of the States who—

''(i) otherwise meet the academic standards for enrollment in the training program described in subparagraph (A);

''(ii) completed at least 3 years of regimented training while at a maritime academy of a State; and

''(iii) obtained an unlimited tonnage or unlimited horsepower Merchant Mariner Credential from the United States Coast Guard.

''(D) Licensed officers of the United States merchant marine who have served 2 or more years aboard a vessel of the United States in the capacity of a licensed officer, who otherwise meet the academic standards for enrollment in the training program described in subparagraph (A).

''(3) DEFINITIONS.—In this subsection:

''(A) MARITIME ACADEMIES OF THE STATES.—The term 'maritime academies of the States' means the following:

''(i) California Maritime Academy, Vallejo, California.

''(ii) Great Lakes Maritime Academy, Traverse City, Michigan.

''(iii) Maine Maritime Academy, Castine, Maine.

''(iv) Massachusetts Maritime Academy, Buzzards Bay, Massachusetts.

''(v) State University of New York Maritime College, Fort Schuyler, New York.

''(vi) Texas A&M Maritime Academy, Galveston, Texas.

''(B) MILITARY SERVICE ACADEMIES OF THE UNITED STATES.—The term 'military service academies of the United States' means the following:

''(i) The United States Military Academy, West Point, New York.

''(ii) The United States Naval Academy, Annapolis, Maryland.

''(iii) The United States Air Force Academy, Colorado Springs, Colorado.

''(iv) The United States Coast Guard Academy, New London, Connecticut.

''(v) The United States Merchant Marine Academy, Kings Point, New York.

''(b) REAPPOINTMENT.—

''(1) IN GENERAL.—Except as provided in paragraph (2), an individual who previously served in the commissioned officer corps of the Administration may be appointed by the Secretary to the grade the individual held prior to separation.

''(2) REAPPOINTMENTS TO HIGHER GRADES.—An appointment under paragraph (1) to a position of importance and responsibility designated under section 228 may only be made by the President.

''(c) QUALIFICATIONS.—An appointment under subsection (a) or (b) may not be given to an individual until the individual's mental, moral, physical, and professional fitness to perform the duties of an officer has been established under such regulations as the Secretary shall prescribe.

''(d) PRECEDENCE OF APPOINTEES.—Appointees under this section shall take precedence in the grade to which appointed in accordance with the dates of their commissions as commissioned officers in such grade. Appointees whose dates of commission are the same shall take precedence with each other as the Secretary shall determine.

''(e) INTER-SERVICE TRANSFERS.—For inter-service transfers (as described in the Department of Defense Directive 1300.4 (dated December 27, 2006)) the Secretary shall—

''(1) coordinate with the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating to promote and streamline inter-service transfers;

''(2) give preference to such inter-service transfers for recruitment purposes as determined appropriate by the Secretary; and

''(3) reappoint such inter-service transfers to the equivalent grade in the commissioned officer corps.''.

(2) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by striking the item relating to section 221 and inserting the following:

''Sec. 221. Original appointments and reappointments.''.

SEC. 852. PERSONNEL BOARDS.

Section 222 (33 U.S.C. 3022) is amended to read as follows:

''SEC. 222. PERSONNEL BOARDS.

''(a) CONVENING.—Not less frequently than once each year and at such other times as the Secretary determines necessary, the Secretary shall convene a personnel board.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—A board convened under subsection (a) shall consist of 5 or more officers who are serving in or above the permanent grade of the officers under consideration by the board.

''(2) RETIRED OFFICERS.—Officers on the retired list may be recalled to serve on such personnel boards as the Secretary considers necessary.

''(3) NO MEMBERSHIP ON 2 SUCCESSIVE BOARDS.—No officer may be a member of 2 successive personnel boards convened to consider officers of the same grade for promotion or separation.

''(c) DUTIES.—Each personnel board shall—

''(1) recommend to the Secretary such changes as may be necessary to correct any erroneous position on the lineal list that was caused by administrative error; and

''(2) make selections and recommendations to the Secretary and the President for the appointment, promotion, involuntary separation, continuation, and involuntary retirement of officers in the commissioned officer corps of the Administration as prescribed in this title.

''(d) ACTION ON RECOMMENDATIONS NOT ACCEPTABLE.—If any recommendation by a board convened under subsection (a) is not accepted by the Secretary or the President, the board shall make such further recommendations as the Secretary or the President considers appropriate.''.

SEC. 853. DELEGATION OF AUTHORITY.

Section 226 (33 U.S.C. 3026) is amended—

(1) by striking ''Appointments'' and inserting the following:

''(a) IN GENERAL.—Appointments''; and

(2) by adding at the end the following:

''(b) DELEGATION OF APPOINTMENT AUTHORITY.—If the President delegates authority to the Secretary to make appointments under this section, the President shall, during a period in which the position of the Secretary is vacant, delegate such authority to the Deputy Secretary of Commerce or the Under Secretary for Oceans and Atmosphere during such period.''.

SEC. 854. ASSISTANT ADMINISTRATOR OF THE OFFICE OF MARINE AND AVIATION OPERATIONS.

Section 228(c) (33 U.S.C. 3028(c)) is amended—

(1) in the fourth sentence, by striking ''Director'' and inserting ''Assistant Administrator''; and

(2) in the heading, by inserting ''ASSISTANT ADMINISTRATOR OF THE'' before ''OFFICE''.

SEC. 855. TEMPORARY APPOINTMENTS.

(a) IN GENERAL.—Section 229 (33 U.S.C. 3029) is amended to read as follows:

''SEC. 229. TEMPORARY APPOINTMENTS.

''(a) APPOINTMENTS BY PRESIDENT.—Temporary appointments in the grade of ensign, lieutenant junior grade, or lieutenant may be made by the President.

''(b) TERMINATION.—A temporary appointment to a position under subsection (a) shall terminate upon approval of a permanent appointment for such position made by the President.

''(c) ORDER OF PRECEDENCE.—Appointees under subsection (a) shall take precedence in the grade to which appointed in accordance with the dates of their appointments as officers in such grade. The order of precedence of appointees who are appointed on the same date shall be determined by the Secretary.

''(d) ANY ONE GRADE.—When determined by the Secretary to be in the best interest of the commissioned officer corps, officers in any permanent grade may be temporarily promoted one grade by the President. Any such temporary promotion terminates upon the transfer of the officer to a new assignment.

''(e) DELEGATION OF APPOINTMENT AUTHORITY.—If the President delegates authority to the Secretary to make appointments under this section, the President shall, during a period in which the position of the Secretary is vacant, delegate such authority to the Deputy Secretary of Commerce or the Under Secretary for Oceans and Atmosphere during such period.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by striking the item relating to section 229 and inserting the following:

''Sec. 229. Temporary appointments.''.

SEC. 856. OFFICER CANDIDATES.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.) is amended by adding at the end the following:

''SEC. 234. OFFICER CANDIDATES.

''(a) DETERMINATION OF NUMBER.—The Secretary shall determine the number of appointments of officer candidates.

''(b) APPOINTMENT.—Appointment of officer candidates shall be made under regulations which the Secretary shall prescribe, including regulations with respect to determining age limits, methods of selection of officer candidates, term of service as an officer candidate before graduation from the program, and all other matters affecting such appointment.

''(c) DISMISSAL.—The Secretary may dismiss from the basic officer training program of the Administration any officer candidate who, during the officer candidate's term as an officer candidate, the Secretary considers unsatisfactory in either academics or conduct, or not adapted for a career in the commissioned officer corps of the Administration. Officer candidates shall be subject to rules governing discipline prescribed by the Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps.

''(d) AGREEMENT.—

''(1) IN GENERAL.—Each officer candidate shall sign an agreement with the Secretary in accordance with section 216(a)(2) regarding the officer candidate's term of service in the commissioned officer corps of the Administration.

''(2) ELEMENTS.—An agreement signed by an officer candidate under paragraph (1) shall provide that the officer candidate agrees to the following:

''(A) That the officer candidate will complete the course of instruction at the basic officer training program of the Administration.

''(B) That upon graduation from the such program, the officer candidate—

''(i) will accept an appointment, if tendered, as an officer; and

''(ii) will serve on active duty for at least 4 years immediately after such appointment.

''(e) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section. Such regulations shall include—

''(1) standards for determining what constitutes a breach of an agreement signed under such subsection (d)(1); and

''(2) procedures for determining whether such a breach has occurred.

''(f) REPAYMENT.—An officer candidate or former officer candidate who does not fulfill the terms of the obligation to serve as specified under section (d) shall be subject to the repayment provisions of section 216(b).''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 233 the following:

''Sec. 234. Officer candidates.''.

(c) OFFICER CANDIDATE DEFINED.—Section 212(b) (33 U.S.C. 3002(b)) is amended—

(1) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively; and

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

''(4) OFFICER CANDIDATE.—The term 'officer candidate' means an individual who is enrolled in the basic officer training program of the Administration and is under consideration for appointment as an officer under section 221(a)(2)(A).''.

(d) PAY FOR OFFICER CANDIDATES.—Section 203 of title 37, United States Code, is amended by adding at the end the following:

''(f)(1) An officer candidate enrolled in the basic officer training program of the commissioned officer corps of the National Oceanic and Atmospheric Administration is entitled, while participating in such program, to monthly officer candidate pay at monthly rate equal to the basic pay of an enlisted member in the pay grade E–5 with less than 2 years service.

''(2) An individual who graduates from such program shall receive credit for the time spent participating in such program as if such time were time served while on active duty as a commissioned officer. If the individual does not graduate from such program, such time shall not be considered creditable for active duty or pay.''.

SEC. 857. PROCUREMENT OF PERSONNEL.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.), as amended by section 856(a), is further amended by adding at the end the following:

''SEC. 235. PROCUREMENT OF PERSONNEL.

''The Secretary may make such expenditures as the Secretary considers necessary in order to obtain recruits for the commissioned officer corps of the Administration, including advertising.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 856(b), is further amended by inserting after the item relating to section 234 the following:

''235. Procurement of personnel.''.

PART IV—SEPARATION AND RETIREMENT OF OFFICERS

SEC. 861. INVOLUNTARY RETIREMENT OR SEPARATION.

Section 241 (33 U.S.C. 3041) is amended by adding at the end the following:

''(d) DEFERMENT OF RETIREMENT OR SEPARATION FOR MEDICAL REASONS.—

''(1) IN GENERAL.—If the Secretary determines that the evaluation of the medical condition of an officer requires hospitalization or medical observation that cannot be completed with confidence in a manner consistent with the officer's well being before the date on which the officer would otherwise be required to retire or be separated under this section, the Secretary may defer the retirement or separation of the officer.

''(2) CONSENT REQUIRED.—A deferment may only be made with the written consent of the officer involved. If the officer does not provide written consent to the deferment, the officer shall be retired or separated as scheduled.

''(3) LIMITATION.—A deferral of retirement or separation under this subsection may not extend for more than 30 days after completion of the evaluation requiring hospitalization or medical observation.''.

SEC. 862. SEPARATION PAY.

Section 242 (33 U.S.C. 3042) is amended by adding at the end the following:

''(d) EXCEPTION.—An officer discharged for twice failing selection for promotion to the next higher grade is not entitled to separation pay under this section if the officer—

''(1) expresses a desire not to be selected for promotion; or

''(2) requests removal from the list of selectees.''.

Subtitle C—Hydrographic Services

SEC. 871. REAUTHORIZATION OF HYDROGRAPHIC SERVICES IMPROVEMENT ACT OF 1998.

(a) REAUTHORIZATIONS.—Section 306 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892d) is amended—

(1) in the matter before paragraph (1), by striking ''There are'' and inserting the following:

''(a) IN GENERAL.—There are'';

(2) in subsection (a) (as designated by paragraph (1))—

(A) in paragraph (1), by striking ''surveys—'' and all that follows through the end of the paragraph and inserting ''surveys, $70,814,000 for each of fiscal years 2016 through 2020.'';

(B) in paragraph (2), by striking ''vessels—'' and all that follows through the end of the paragraph and inserting ''vessels, $25,000,000 for each of fiscal years 2016 through 2020.'';

(C) in paragraph (3), by striking ''Administration—'' and all that follows through the end of the paragraph and inserting ''Administration, $29,932,000 for each of fiscal years 2016 through 2020.'';

(D) in paragraph (4), by striking ''title—'' and all that follows through the end of the paragraph and inserting ''title, $26,800,000 for each of fiscal years 2016 through 2020.''; and

(E) in paragraph (5), by striking ''title—'' and all that follows through the end of the paragraph and inserting ''title, $30,564,000 for each of fiscal years 2016 through 2020.''; and

(3) by adding at the end the following:

''(b) ARCTIC PROGRAMS.—Of the amount authorized by this section for each fiscal year—

''(1) $10,000,000 is authorized for use—

''(A) to acquire hydrographic data;

''(B) to provide hydrographic services;

''(C) to conduct coastal change analyses necessary to ensure safe navigation;

''(D) to improve the management of coastal change in the Arctic; and

''(E) to reduce risks of harm to Alaska Native subsistence and coastal communities associated with increased international maritime traffic; and

''(2) $2,000,000 is authorized for use to acquire hydrographic data and provide hydrographic services in the Arctic necessary to delineate the United States extended Continental Shelf.''.

(b) LIMITATION ON ADMINISTRATIVE EXPENSES FOR SURVEYS.—Section 306 of such Act (33 U.S.C. 892d) is further amended by adding at the end the following:

''(c) LIMITATION ON ADMINISTRATIVE EXPENSES FOR SURVEYS.—Of amounts authorized by this section for each fiscal year for contract hydrographic surveys, not more than 5 percent is authorized for administrative costs associated with contract management.''.

Mr. SASSE. Mr. President, I ask unanimous consent that the committee-reported amendment be withdrawn, the Fischer substitute amendment be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4940) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The bill (S. 2829), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

ORDERS FOR FRIDAY, JULY 1, 2016, THROUGH WEDNESDAY, JULY 6, 2016

Mr. SASSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn, to then convene for pro forma sessions only, with no business being conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, July 1, at 9:30 a.m.; Tuesday, July 5, at 9 a.m.; I further ask that when the Senate adjourns on Tuesday, July 5, it next convene at 10 a.m., Wednesday, July 6; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; I ask that following leader remarks, the Senate resume consideration of the motion to proceed to S. 3100; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings; further, that at 2:15 p.m., the Senate proceed to executive session as under the previous order; finally, that following the disposition of the Martinotti nomination, the pending cloture motions filed during today's session ripen.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL FRIDAY, JULY 1, 2016, AT 9:30 A.M.

Mr. SASSE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 9:03 p.m., adjourned until Friday, July 1, 2016, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

DEBRA SATZ, OF CALIFORNIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2022, VICE CONSTANCE M. CARROLL, TERM EXPIRED.

DEPARTMENT OF STATE

W. STUART SYMINGTON, OF MISSOURI, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL REPUBLIC OF NIGERIA.

THE JUDICIARY

JASON D. TULLEY, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE JUDITH NAN MACALUSO, RETIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. STEVEN M. SHEPRO

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. TAMMY S. SMITH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. BRIAN E. ALVIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. RICHARD J. HEITKAMP

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MILES A. DAVIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. FLETCHER V. WASHINGTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. NIKKI L. GRIFFIN OLIVE

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. DARIUS BANAJI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. TINA A. DAVIDSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. GAYLE D. SHAFFER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. FRANK D. WHITWORTH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. STEPHANIE T. KECK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. DAVID A. GOGGINS
CAPT. DOUGLAS W. SMALL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. RICHARD D. HEINZ
CAPT. JOHN T. PALMER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. CARL P. CHEBI
CAPT. BLAKE L. CONVERSE
CAPT. CHARLES B. COOPER II
CAPT. PAUL T. DRUGGAN
CAPT. DONALD D. GABRIELSON
CAPT. ALVIN HOLSEY
CAPT. JEFFREY T. JABLON
CAPT. GARY A. MAYES
CAPT. JOHN F. MEIER
CAPT. JAMES E. PITTS
CAPT. CHARLES W. ROCK
CAPT. JOHN B. SKILLMAN
CAPT. MURRAY J. TYNCH III
CAPT. JOHN F. WADE
CAPT. MICHAEL A. WETTLAUFER

CONFIRMATIONS

Executive nominations confirmed by the Senate June 29, 2016:

FEDERAL MARITIME COMMISSION

DANIEL B. MAFFEI, OF NEW YORK, TO BE A FEDERAL MARITIME COMMISSIONER FOR A TERM EXPIRING JUNE 30, 2017.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

VICE ADM. FRED M. MIDGETTE

FEDERAL MARITIME COMMISSION

REBECCA F. DYE, OF NORTH CAROLINA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2020.

DEPARTMENT OF STATE

MARY BETH LEONARD, OF MASSACHUSETTS, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE AFRICAN UNION, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

GEETA PASI, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CHAD.

ANNE S. CASPER, OF NEVADA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BURUNDI.

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. MATTHEW T. QUINN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. PHILLIP E. LEE, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. ALAN J. REYES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. MARY C. RIGGS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. CAROL M. LYNCH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. MARK E. BIPES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. BRIAN R. GULDBEK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. LOUIS C. TRIPOLI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. ROBERT T. DURAND

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. SHAWN E. DUANE
CAPT. SCOTT D. JONES
CAPT. WILLIAM G. MAGER
CAPT. JOHN B. MUSTIN
CAPT. MATTHEW P. O'KEEFE
CAPT. JOHN A. SCHOMMER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) THOMAS W. LUSCHER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) BRIAN S. PECHA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) DEBORAH P. HAVEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) MARK J. FUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) RUSSELL E. ALLEN
REAR ADM. (LH) WILLIAM M. CRANE
REAR ADM. (LH) MICHAEL J. DUMONT

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF THE NATIONAL GUARD BUREAU AND FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 601 AND 10502:

To be general

LT. GEN. JOSEPH L. LENGYEL

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. RONALD R. FRITZEMEIER

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. CHARLES G. CHIAROTTI
BRIG. GEN. DAVID W. COFFMAN
BRIG. GEN. PAUL J. KENNEDY
BRIG. GEN. JOAQUIN F. MALAVET
BRIG. GEN. LORETTA E. REYNOLDS
BRIG. GEN. RUSSELL A. SANBORN
BRIG. GEN. GEORGE W. SMITH, JR.
BRIG. GEN. MARK R. WISE
BRIG. GEN. DANIEL D. YOO

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF STAFF, UNITED STATES AIR FORCE, AND APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 8033:

To be general

GEN. DAVID L. GOLDFEIN

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. THOMAS D. WALDHAUSER

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF ARMY RESERVE/COMMANDING GENERAL, UNITED STATES ARMY RESERVE COMMAND, AND APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3038:

To be lieutenant general

MAJ. GEN. CHARLES D. LUCKEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. ROBERT P. WALTERS, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. EDWARD C. CARDON

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. TIMOTHY P. WILLIAMS

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JOSEPH J. STREFF

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. ANTHONY P. DIGIACOMO II
COL. DANIEL J. HILL
COL. KENNETH A. NAVA

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. DAVID H. BERGER

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JEFFREY L. HARRIGIAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. TOD D. WOLTERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. STAYCE D. HARRIS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GWENDOLYN BINGHAM

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. MICHAEL M. GILDAY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. COLIN J. KILRAIN

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS ASSISTANT COMMANDANT OF THE MARINE CORPS IN THE UNITED STATES MARINE CORPS, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5044:

To be general

LT. GEN. GLENN M. WALTERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GARY L. THOMAS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. LEWIS A. CRAPAROTTA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOSEPH L. OSTERMAN

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. TERRENCE J. O'SHAUGHNESSY

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY IN THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

REAR ADM. MARSHALL B. LYTLE III

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE VICE CHIEF OF STAFF OF THE AIR FORCE AND APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 8034 AND 601:

To be general

LT. GEN. STEPHEN W. WILSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. VERALINN JAMIESON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. THOMAS W. BERGESON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. THOMAS W. GEARY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN L. DOLAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RICHARD M. CLARK

FEDERAL MARITIME COMMISSION

MICHAEL A. KHOURI, OF KENTUCKY, TO BE A FEDERAL MARITIME COMMISSIONER FOR A TERM EXPIRING JUNE 30, 2021.

IN THE AIR FORCE

AIR FORCE NOMINATION OF JOSEPH H. IMWALLE, TO BE COLONEL.

AIR FORCE NOMINATION OF LISA A. SELTMAN, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH ANDREW M. FOSTER AND ENDING WITH ANTHONY P. GADDI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 6, 2016.

AIR FORCE NOMINATIONS BEGINNING WITH DAVID B. BARKER AND ENDING WITH ANGELA M. YUHAS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 16, 2016.

IN THE ARMY

ARMY NOMINATION OF BETHANY C. ARAGON, TO BE COLONEL.

ARMY NOMINATION OF BRIAN T. WATKINS, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH SUSAN M. CEBULA AND ENDING WITH LISA N. YARBROUGH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 28, 2016.

ARMY NOMINATIONS BEGINNING WITH JOHN S. AITA AND ENDING WITH DEREK C. WHITAKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 28, 2016.

ARMY NOMINATION OF JASON B. BLEVINS, TO BE COLONEL.

ARMY NOMINATION OF SHAWN R. LYNCH, TO BE MAJOR.

ARMY NOMINATION OF RITA A. KOSTECKE, TO BE MAJOR.

ARMY NOMINATION OF HELEN H. BRANDABUR, TO BE MAJOR.

ARMY NOMINATION OF BARRY K. WILLIAMS, TO BE COLONEL.

ARMY NOMINATION OF DOUGLAS MAURER, TO BE COLONEL.

ARMY NOMINATION OF RONALD D. HARDIN, JR., TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF EDWARD J. FISHER, TO BE COLONEL.

ARMY NOMINATION OF DAVID W. MAYFIELD, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF MICHAEL P. GARLINGTON, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH NOELA B. BACON AND ENDING WITH WILLIAM D. PLUMMER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 23, 2016.

ARMY NOMINATION OF ELIZABETH M. MILLER, TO BE COLONEL.

IN THE NAVY

NAVY NOMINATION OF JUSTIN C. LEGG, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH TIMOTHY M. DUNN AND ENDING WITH PEGGYTARA M. STOLYAROVA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 14, 2016.

NAVY NOMINATIONS BEGINNING WITH SUZANNE M. LESKO AND ENDING WITH CHARLES E. SUMMERS II, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 14, 2016.

NAVY NOMINATION OF ANDREW F. ULAK, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH KENNETH N. GRAVES AND ENDING WITH BILLY B. OSBORNE, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 14, 2016.

NAVY NOMINATIONS BEGINNING WITH STEVE R. PARADELA AND ENDING WITH REESE K. ZOMAR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 14, 2016.

NAVY NOMINATIONS BEGINNING WITH CHARLES M. BROWN AND ENDING WITH KARL W. WICK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 14, 2016.

NAVY NOMINATIONS BEGINNING WITH ROBERT K. BAER AND ENDING WITH JOHN L. MORRIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 14, 2016.

NAVY NOMINATIONS BEGINNING WITH BRIAN S. ANDERTON AND ENDING WITH JAMES T. WORTHINGTON III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 14, 2016.

NAVY NOMINATIONS BEGINNING WITH CHRISTOPHER J. R. DEMCHAK AND ENDING WITH STEVEN R. THOMPSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 14, 2016.

NAVY NOMINATIONS BEGINNING WITH JANETTE B. JOSE AND ENDING WITH MICHAEL J. SCHWERIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 14, 2016.

NAVY NOMINATIONS BEGINNING WITH ERIC R. JOHNSON AND ENDING WITH ANDREW R. WOOD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 14, 2016.

NAVY NOMINATIONS BEGINNING WITH JAREMA M. DIDOSZAK AND ENDING WITH RICHARD M. SZCEPANSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 14, 2016.

NAVY NOMINATION OF CONRADO G. DUNGCA, JR., TO BE CAPTAIN.

NAVY NOMINATION OF ALEXANDER L. PEABODY, TO BE CAPTAIN.

NAVY NOMINATION OF JASON G. GOFF, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH OLIVIA L. BETHEA AND ENDING WITH CHRISTIAN A. STOVER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH ROGER S. AKINS AND ENDING WITH MICHAEL D. WITTENBERGER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH RICHARD S. ADCOOK AND ENDING WITH BENJAMIN W. YOUNG, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH ANDREW M. ARCHILA AND ENDING WITH DOUGLAS E. STEPHENS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH SHANE D. COOPER AND ENDING WITH RANDALL J. VAVRA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH JOHANNES M. BAILEY AND ENDING WITH JOHN E. VOLK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH SUSAN L. AYERS AND ENDING WITH MICHAEL YORK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH MICHAEL D. BROWN AND ENDING WITH BRIAN J. STAMM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH JOHN R. ANDERSON AND ENDING WITH BURR M. VOGEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH RACHAEL A. DEMPSEY AND ENDING WITH SEAN D. ROBINSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH ANN E. CASEY AND ENDING WITH DARYK E. ZIRKLE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH CLAUDE W. ARNOLD, JR. AND ENDING WITH ROB W. STEVENSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH ALBERT ANGEL AND ENDING WITH SCOTT D. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH THOMAS L. GIBBONS AND ENDING WITH KURT E. STRONACH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH DAVID L. AAMODT AND ENDING WITH NATHAN S. YORK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH MICHAEL B. BILZOR AND ENDING WITH MATTHEW A. TESTERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH PAUL D. CLIFFORD AND ENDING WITH DIANNA WOLFSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH ERROL A. CAMPBELL, JR. AND ENDING WITH JEFFREY M. VICARIO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH JEFFREY J. CHOWN AND ENDING WITH BRET A. WASHBURN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH BROOK DEWALT AND ENDING WITH PHILIP R. ROSI II, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATIONS BEGINNING WITH AARON C. HOFF AND ENDING WITH JOHN M. TULLY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

NAVY NOMINATION OF DANIEL L. CHRISTENSEN, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF HOWARD D. WATT, TO BE COMMANDER.

NAVY NOMINATION OF DANIEL MORALES, TO BE COMMANDER.

NAVY NOMINATION OF STEFAN M. GROETSCH, TO BE CAPTAIN.

NAVY NOMINATION OF JEFFREY M. BIERLEY, TO BE CAPTAIN.

NAVY NOMINATION OF MICHAEL G. ZAKAROFF, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH RON J. ARELLANO AND ENDING WITH WILLIAM M. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2016.

NAVY NOMINATIONS BEGINNING WITH KATIE M. ABDALLAH AND ENDING WITH NATHAN J. WINTERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2016.

NAVY NOMINATIONS BEGINNING WITH MATTHEW J. ACANFORA AND ENDING WITH JOSEPH A. ZERBY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2016.

NAVY NOMINATIONS BEGINNING WITH KENNETH O. ALLISON, JR. AND ENDING WITH TIMOTHY L. YEICH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2016.

NAVY NOMINATIONS BEGINNING WITH BENJAMIN P. ABBOTT AND ENDING WITH RICHARD J. ZAMBERLAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2016.

NAVY NOMINATIONS BEGINNING WITH PETER BISSONNETTE AND ENDING WITH ZAVEAN V. WARE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2016.

NAVY NOMINATIONS BEGINNING WITH MYLENE R. ARVIZO AND ENDING WITH ERROL A. WATSON, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2016.

NAVY NOMINATIONS BEGINNING WITH DAVID R. DONOHUE AND ENDING WITH JASON D. WEAVER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2016.

NAVY NOMINATIONS BEGINNING WITH RANDY J. BERTI AND ENDING WITH MICHAEL WINDOM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2016.

NAVY NOMINATIONS BEGINNING WITH JODIE K. CORNELL AND ENDING WITH SEAN B. ROBERTSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2016.

NAVY NOMINATIONS BEGINNING WITH PATRICIA H. AJOY AND ENDING WITH WADE C. THAMES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2016.

NAVY NOMINATIONS BEGINNING WITH ERIN M. CESCHINI AND ENDING WITH GIANCARLO WAGHELSTEIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 9, 2016.

NAVY NOMINATION OF THOMAS W. LUTON, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH JENNIFER L. DONAHUE AND ENDING WITH ROBERT R. STEEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 23, 2016.

NAVY NOMINATIONS BEGINNING WITH STEVEN D. BARTELL AND ENDING WITH RON P. NEITZKE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 23, 2016.

NAVY NOMINATIONS BEGINNING WITH NATHAN JOHNSTON AND ENDING WITH ROGER D. MUSSELMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 23, 2016.

NAVY NOMINATIONS BEGINNING WITH PHILIP ARMAS, JR. AND ENDING WITH CHRISTOPHER D. THOMPSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 23, 2016.

NAVY NOMINATIONS BEGINNING WITH CATHERINE O. DURHAM AND ENDING WITH REBECCA A. ZORNADO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 23, 2016.

NAVY NOMINATIONS BEGINNING WITH JAMES H. BURNS AND ENDING WITH REBECCA S. SNYDER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 23, 2016.

NAVY NOMINATIONS BEGINNING WITH JOHN M. HARDHAM AND ENDING WITH MARTIN W. WADEWITZ II, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 23, 2016.

NAVY NOMINATIONS BEGINNING WITH PHILIP J. ABELDT AND ENDING WITH MICHAEL B. VENER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 23, 2016.

NAVY NOMINATIONS BEGINNING WITH LAUREN P. ARCHER AND ENDING WITH ALISSA G. SPEZIALE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 23, 2016.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATION OF RICHARD GUSTAVE OLSON, JR.

FOREIGN SERVICE NOMINATION OF EMILY M. SCOTT.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH AMANDA R. AHLERS AND ENDING WITH LEE V. WILBUR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 18, 2016.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JOCELYN N. ADAMS AND ENDING WITH BRIAN JOSEPH ZACHERL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 19, 2016.