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House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. MEADOWS).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 12, 2016.

I hereby appoint the Honorable MARK MEADOWS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

EPA'S REGULATIONS NEGATIVELY AFFECT JOBS AND THE RURAL COMMUNITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. CONAWAY) for 5 minutes.

Mr. CONAWAY. Mr. Speaker, farmers, ranchers, and foresters take great pride in the stewardship of the land. They are the original conservationists. While it may be popular among some to blame farmers and ranchers for any and every environmental concern that crops up, I know that nobody cares more for the environment than those who work the land every day. When a farm family's livelihood depends on caring for natural resources, there is an undeniable economic incentive to adopt practices to enhance the land's long-term viability.

Unfortunately, the Obama administration has pursued an agenda seemingly absent of any recognition of the consequences for rural America and production agriculture. Obama's EPA is creating regulations that are burdensome, overreaching, and negatively affecting jobs and the rural economy.

Perhaps the most poignant example is the EPA and Army Corps of Engineers' recent power grab with the waters of the U.S. rule or, as the EPA calls it, the clean water rule. I will be frank, this rule is not about clean water. Everybody wants and deserves clean water. This rule simply embodies EPA's insatiable appetite for power. When EPA Administrator Gina McCarthy testified before the House Committee on Agriculture in February, members of the committee brought forth many concerns with the WOTUS rule. Numerous times Administrator McCarthy simply brushed off their concerns with statements that were intended to assure us that farmers would have the same longstanding farming exemptions that were originally included in the Clean Water Act.

These verbal assurances give little comfort to farmers and ranchers who will face steep civil fines for any violation. While the Administrator was telling the farming community that they have nothing to fear with the new WOTUS rule, a California farmer was being prosecuted by the Justice Department for simply plowing his field.

The lawsuit brought against this producer claims that by plowing a field, which every farmer I know considers a normal farming practice, this farmer has created, get this, ''mini mountain ranges'' in his field. These mountain ranges are furrows from normal farming. The suit also claims that this producer discharged a pollutant into the waters of the U.S. This so-called pollutant was the soil he was plowing. These perceived violations only came to light when an overzealous court bureaucrat just happened to be driving by the property and discovered perceived WOTUS violations on the land.

Regardless of the degree to which some deem government regulation justifiable, all regulations must be developed in a manner that is based on science and mindful of the economic consequences. This rule clearly was not. Farmers, ranchers, and foresters believe the EPA is attacking them, and it is easy to understand why.

Instead of using the EPA and Corps' preferred strategy of fear and intimidation, coupled with punitive enforcement and overreaching regulatory authority, we should be building on the successful approach taken in the 2014 farm bill and previous farm bills to protect our natural resources through voluntary incentive-based conservation programs.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 4 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Merciful God, we give You thanks for giving us another day.

In this year of post-9/11, we pray that the children of this generation and their children's children may never have to experience another day like the one that flooded our TV screens so many years ago.

Protect and guide this Nation to a new security, built upon human integrity and communal solidarity with all who love freedom and human dignity, while respecting the lives and beliefs of others.

Empower the Members of Congress and governments around the world to establish just laws and seek the common good that will lead to ways of equity and peace.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Florida (Ms. ROS-LEHTINEN) come forward and lead the House in the Pledge of Allegiance.

Ms. ROS-LEHTINEN 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.

ZIKA FUNDING AND ACCURATE INFORMATION ARE PARAMOUNT TO PROTECT AMERICANS

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I come to Congress this week with expectations that perhaps this is the week when, as elected officials, we will do the right thing for south Florida families and Americans across our Nation. Perhaps this is the week in which the Senate will finally pass the long-awaited Zika funding bill and then for the House to act, finally.

South Floridians are correctly pushing Congress to leave politics aside and to do our job to protect the public. We are already way late in doing so, Mr. Speaker.

I look forward to Governor Scott's meeting with our south Florida congressional delegation later this week, because the facts and figures related to how big a problem Zika is appear not to have been accurately reflected in the summaries provided by the Florida Department of Health, according to a report in the Miami Herald. Detailed, timely, and accurate information are needed to protect our communities from this epidemic.

Mr. Speaker, let's pass the Federal funding needed to fight Zika and ensure that State agencies are providing thorough and accurate reporting of local Zika infections.

GUN VIOLENCE

(Mr. HONDA asked and was given permission to address the House for 1 minute.)

Mr. HONDA. Mr. Speaker, by the end of today, 90 people in America will have died from gun violence. That is beyond tragic. That is heartbreaking. That is 90 too many.

While House Republicans shamefully stand idle, I am proud to say that, in my district in the Silicon Valley, my hometown community hereby says: enough.

Several years ago, the city of Sunnyvale overwhelmingly passed critical, courageous, and commonsense gun violence prevention measures. Today, the city of San Jose is on the verge of adopting similar measures. I am proud that Silicon Valley is leading by example. It is time now for Congress to act.

Mr. Speaker, we cannot allow one more day to go by, and 90 people to die, without doing all that we can to end the epidemic of gun violence. Enough is enough. Give us a vote, Mr. Speaker. Give America a vote.

JEFF HENDERSON OLYMPIC GOLD

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

Mr. HILL. Mr. Speaker, I rise today to recognize Jeff Henderson, who won a gold medal in the long jump during this summer's Rio Games.

A native of McAlmont, the Mac Side, Arkansas, Jeff has been pushing himself to succeed since the humble beginnings of his athletic career. After graduating from Sylvan Hills High School in 2007, where he played football and ran track, Jeff surprised himself and his peers as he tore through the competition in both collegiate and professional track and field. His perseverance would not dwindle in Rio, and Jeff promised his mother, who is battling Alzheimer's, that he would bring home the gold.

After trailing other athletes during the majority of the event, on August 13, 2016, Jeff leapt his way to gold on the final jump, edging past the silver medalist by just 1 centimeter.

Our Olympic athletes in Arkansas and throughout the country made our Nation proud this summer, and I am honored to recognize today this Mac Side star, Jeff Henderson, for his historic accomplishment.

UNFINISHED BUSINESS IN CONGRESS

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, last week, Vice President JOE BIDEN said, ''We are facing a simple reality; we are not doing the people's most urgent business.'' He is right. It is long past time that we take up this staggering list of unfinished business in this House.

The people in my hometown of Flint still can't drink the water that comes out of their tap, yet House Republicans have pushed off any meaningful action that would send help to this community in its moment of greatest need. Further, the CDC will run out of resources to fight Zika, with almost 17,000 Americans, including 1,600 pregnant women, infected.

Republicans in Congress continue to put their own partisan messaging agenda ahead of fighting Zika, helping the kids of Flint, and even with the opioid epidemic killing 78 people a day. We lose 78 young people a day. No action.

We have bipartisan approaches to all of these problems. This body is called together to do the people's work. We should take up this legislation, and we should do it now, Mr. Speaker.

MEDIA SHOWS THEIR BIAS

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

Mr. SMITH of Texas. Mr. Speaker, the media's credibility is at a new low, and it is self-inflicted. That is because they have set out on a maniacal mission to destroy anyone who doesn't bow to their political views. Why? Clearly, one person poses a threat to the media's liberal views. He wants to secure the borders; they want mass amnesty for illegal immigrants. He wants to reduce government regulations; they favor more government control. He opposes political correctness; they support speech police.

The liberal media think they know better than the American people what is good for them. Let's hope the voters won't let the liberal media tell them what to think or how to vote. The future of our democracy depends on a fair, balanced, and unbiased media.

FUND ZIKA

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

Mr. DEUTCH. Mr. Speaker, I just returned after a weekend in south Florida where people wanted to talk about two things: remembering 9/11 and wondering why Congress can't figure out how to find the necessary funding for Zika.

This morning, Dr. Fauci of the NIH said that if we don't act, we are at risk of halting the investigation into coming up with a vaccine that can help prevent people from getting Zika.

After 9/11, everyone in this country was able to come together as one. We all remember how that felt. My colleague, ILEANA ROS-LEHTINEN, stood on

the floor just now and talked about the bipartisan support for funding research and a response to Zika. In this partisan body, let's remember how that felt to stand together, and let's stand together for the people of south Florida and the people in this country and do the right thing and pass a clean Zika funding bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

EXPRESSING THE SENSE OF THE HOUSE REGARDING THE LIFE AND WORK OF ELIE WIESEL

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 810) expressing the sense of the House of Representatives regarding the life and work of Elie Wiesel in promoting human rights, peace, and Holocaust remembrance, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 810

Whereas Elie Wiesel was born in Sighet, Romania, on September 30, 1928, to Sarah Feig and Shlomo Wiesel;

Whereas in 1944, the Wiesel family was deported to the Auschwitz concentration camp in German-occupied Poland;

Whereas in 1945, Wiesel was moved to the Buchenwald concentration camp in Germany, where he was eventually liberated;

Whereas Wiesel's mother and younger sister, Tzipora, died in the gas chamber at Auschwitz and his father died at Buchenwald;

Whereas Wiesel and his two older sisters, Beatrice and Hilda, survived the horrors of the Holocaust;

Whereas after World War II Wiesel studied in France, worked as a journalist, and subsequently became a United States citizen in 1963;

Whereas Wiesel's first book ''Night'', published in 1958, told the story of his family's deportation to Nazi concentration camps during the Holocaust and has been translated into more than 30 languages and reached millions across the globe;

Whereas Wiesel would go on to author more than 60 books, plays, and essays imparting much knowledge and lessons of history on his readers;

Whereas in 1978, Wiesel was appointed to chair the President's Commission on the Holocaust, which was tasked with submitting a report regarding a suitable means by which to remember the Holocaust and those who perished;

Whereas in 1979, the Commission submitted its report and included a recommendation for the creation of a Holocaust Memorial/Museum, education foundation, and Committee on Conscience;

Whereas in 1980, Wiesel became the Founding Chairman of the United States Holocaust Memorial Council and helped lead the effort for the United States Holocaust Memorial Museum to open its doors in 1993;

Whereas in 1986, Wiesel and his wife, Marion, created The Elie Wiesel Foundation for Humanity in order to fight indifference, intolerance, and injustice;

Whereas Wiesel, dedicated to teaching, served as a Visiting Scholar at Yale University from 1972 to 1976, professor at the City University of New York from 1972 to 1976, and Boston University from 1976 until his passing;

Whereas Wiesel has received several awards for his work to promote human rights, peace, and Holocaust remembrance, including the Nobel Peace Prize, Presidential Medal of Freedom, the United States Congressional Gold Medal, the National Humanities Medal, the Medal of Liberty, the rank of Grand-Croix in the French Legion of Honor, and the United States Holocaust Memorial Museum Award; and

Whereas, on July 2, 2016, at the age of 87, Elie Wiesel passed away, leaving behind a legacy of ensuring a voice for the voiceless, promotion of peace and tolerance, and combating indifference, intolerance, and genocide: Now, therefore, be it

Resolved, That the House of Representatives—

(1) extends its deepest sympathies to the members of the family of Elie Wiesel in their bereavement; and

(2) urges the continuation of the monumental work and legacy of Elie Wiesel to preserve the memory of those individuals who perished and prevent the recurrence of another Holocaust, to combat hate and intolerance in any manifestation, and to never forget and to learn from the lessons of history.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from Florida (Mr. DEUTCH) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, when Elie Wiesel passed away this past July, the world lost one of its greatest champions of human rights and a tireless and powerful force against tyranny, hate, and intolerance.

This resolution honors Elie Wiesel's life, work, and legacy; extends our deepest sympathies to his family; and reaffirms his efforts to learn from the lessons of the past in order to prevent another Holocaust.

I want to thank my good friend, my colleague, STEVE ISRAEL, as well as PATRICK MEEHAN and my Florida colleague, TED DEUTCH, for their leadership in bringing this resolution forward, as well as Chairman ROYCE and Ranking Member ENGEL for their leadership in shepherding it through the Foreign Affairs Committee and now here to the House floor.

I was proud to work with Elie Wiesel on a number of issues over the years, including raising awareness about the Holocaust and the rise of anti-Semitism, as well as other human rights issues, and I was honored to present the Congressional Gold Medal to the Dalai Lama alongside Mr. Wiesel in the year 2007. Elie Wiesel had himself been awarded the Gold Medal in 1984, as well as the Presidential Medal of Freedom, the Nobel Peace Prize, and many other awards and honorary degrees.

A survivor of Auschwitz and Buchenwald, Elie Wiesel helped reveal the ugly truth about the atrocities that took place at Nazi concentration camps, detailing his experiences in one of his best-read books, entitled, ''Night.''

In that book, Elie Wiesel explained why he dedicated his life to Holocaust awareness, saying that to forget ''would be not only dangerous but offensive; to forget the dead would be akin to killing them a second time.''

Mr. Wiesel warned about what happens when the world is silent in the face of evil, saying that ''we must take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented. Sometimes we must interfere.''

Elie Wiesel was never afraid to interfere, raising his voice when others were silent in order to remind us, again and again, that human suffering, wherever and whenever it occurs, cannot and must not be ignored.

□ 1415

Whether it was genocide in Sudan, the plight of Tibetans suffering under the Communist regime in Beijing, or warning against the mullahs in Iran who continue to say that Israel should be wiped off the face of the Earth, Elie Wiesel was always there to speak out against tyranny. He was committed to ensuring that the oppressed and the suffering knew that they are not alone, that those without freedom, that those without human rights are not being ignored and are not forgotten by the outside world.

Elie Wiesel's legacy will endure as a reminder that people must never be ignored, that we must learn from the past, and that we must never be silent. I urge my colleagues to pass this resolution.

I reserve the balance of my time.

Mr. DEUTCH. Mr. Speaker, it is my honor to yield 5 minutes to the gentleman from New York (Mr. ISRAEL), my friend and the author of this resolution.

Mr. ISRAEL. Mr. Speaker, I thank my very good friend from Florida (Mr. DEUTCH), who was an original cosponsor of this resolution.

Mr. Speaker, I want to also thank Ms. ROS-LEHTINEN for her leadership and her support of this resolution, as

well as the chairman of the committee, Mr. ROYCE, for holding a markup on this and ensuring that it received a vote on the floor of the House. Finally, Mr. Speaker, I want to thank the gentleman from Pennsylvania (Mr. MEEHAN) for being the lead original cosponsor of this bipartisan resolution.

Mr. Speaker, I introduced this resolution shortly after Elie Wiesel's passing because I wanted to ensure that my colleagues, my constituents, and citizens around the world would never forget the horrors of the Holocaust and the very special and unique legacy of Elie Wiesel.

Mr. Wiesel's tremendous impact has reached millions across the globe, and I believe he truly is one of the most influential and important figures of our time, perhaps of all time.

After surviving one of the darkest moments in history, he spoke up and offered a voice to the voiceless. He offered hope to people without hope. He spoke for the millions that we lost in the Holocaust, but also those who survived. He helped educate the entire world on the atrocities committed during the Holocaust, and he ensured, Mr. Speaker, that we would never forget.

He was born on September 30, 1928, and in 1944 was deported, along with his family, to Auschwitz. In 1945, he was moved to Buchenwald, where he was eventually liberated.

Unfortunately, tragically, many members of his family did not survive. His mother and younger sister died in the gas chamber in Auschwitz. His father passed away in Buchenwald. Only Wiesel and his two older sisters survived.

He went on to become a journalist. He published his first book, ''Night,'' in 1958. I have read it many times. Through the book, he tells the story of his family's deportation to the concentration camps, and he illuminated the unthinkable atrocities committed by the Nazis.

He wrote the book not to reflect on the past, but to warn us about the future, to call out violations of human rights wherever and whenever they occur. And he didn't stop there. He published so many more books and plays and essays, and he helped all of us have a better understanding and learn from history.

Mr. Speaker, he also helped found the U.S. Holocaust Memorial Museum and, along with his wife, Marion, created the Elie Wiesel Foundation for Humanity. Elie Wiesel was a true humanitarian, fighting against intolerance and injustice and leaving behind a legacy like no other.

I met him personally several years ago. I will never forget that meeting. None of us should ever forget his meaning in the world.

I am honored to have introduced this resolution in the House, and I know that my colleagues will support this measure in order to honor the life, work, and legacy of Elie Wiesel.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. ROYCE), our esteemed chairman of the House Foreign Affairs Committee.

Mr. ROYCE. Mr. Speaker, I would begin by saying I appreciate the efforts of the gentleman from New York (Mr. ISRAEL). I appreciate his work here for authoring this resolution.

I think it, again, has been said, but his life's work, Elie Wiesel's life's work, cannot possibly be overstated. I think that for those who have called for us to remember, who have called for us to take action, no time is more probably important than today, when we see the anti-Semitism, when we saw the attacks in Paris, when we see these attitudes. People say never forget. That is correct.

Here are some of the words that he spoke when he was awarded the Nobel Prize in 1986. He said: ''I remember: it happened yesterday or eternities ago. A young Jewish boy discovered the kingdom of night.''

I think he was 15 at the time that he was held in the Nazi death camps of Auschwitz and later Buchenwald, 15 years of age.

He said: ''I remember his bewilderment,'' speaking of himself. He said: ''I remember the anguish. It all happened so fast. The ghetto. The deportation. The sealed cattle car. The fiery altar upon which the history of our people and the future of mankind were meant to be sacrificed.

''I remember,'' and he asked his father, '' 'Can this be true?' This is the 20th century, not the Middle Ages. Who would allow such crimes to be committed? How could the world remain silent?

''And now the boy is turning to me,'' he said later in life as he reflected on this. '' 'Tell me,' '' he asks. 'What have you done with my future? What have you done with your life?'

''And I tell him that I have tried. That I have tried to keep the memory alive, that I have tried to fight those who would forget. Because if we forget, we are guilty.'' If we forget, then ''we are accomplices.''

So today, we honor his memory by committing to continue his work, to preserve the memory of those who perished in the Holocaust, to protect oppressed minorities that face other genocidal campaigns, and to promote the eternal values of peace, of tolerance, and of understanding for future generations. By passing this resolution, the House will commit to uphold Elie Wiesel's pledge to never forget.

I thank the gentlewoman from Florida for her work on this resolution with Mr. STEVE ISRAEL.

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

Mr. Speaker, I thank Chairman ROYCE and Ranking Member ENGEL for moving this bill swiftly through the committee to the floor.

I am proud and appreciative to have introduced this bill with my friends Congressman ISRAEL and Congressman MEEHAN, my colleagues on the U.S. Holocaust Memorial Museum Council. It is a testament to Elie Wiesel's inspirational reach across our country that 158 of our colleagues from both sides of the aisle joined us as original cosponsors.

In particular, I am grateful to my friend and colleague, Representative ROS-LEHTINEN, for her commitment to all of the ideals that Elie Wiesel lived out.

H. Res. 810 recognizes the incredible life of accomplishments of Elie Wiesel. Elie Wiesel was a legend, the kind of influential figure that changes people around him and leaves the world in a much better place. His story is taught in classrooms, his work is read by millions in dozens of languages, and his accomplishments are recalled in halls of governments around the world.

He lived through one of history's darkest moments. He survived Auschwitz and Buchenwald, scenes of some of the manifestations of the worst evil of humankind in modern history, and he went on to become an acclaimed writer, human rights activist, and Nobel laureate.

This giant of a man refused to stay silent as other atrocities took place around the world in the years following the Holocaust. From Rwanda to Kosovo, from Cambodia to Sudan, Elie Wiesel always spoke out because, as he put it, ''I swore never to be silent whenever and wherever human beings endure suffering and humiliation. We must always take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented.''

The last sentence reverberates loudly around the world today: ''Silence encourages the tormentor, never the tormented.''

Mr. Speaker, this resolution is the least we can do to respect and to honor Elie Wiesel's memory, so let's do more. Over 70 years after the Holocaust, bigotry and prejudice continue to plague societies around the world.

Anti-Semitism, the millennia-old hatred of Jews that spawned Hitler's Final Solution, can still be found today; anti-Semitism from Paris to Buenos Aires, from Malmo to Marseilles, to London, and anti-Semitism on the streets, online, and on college campuses.

Time after time, Jewish communities around the world are forced to make a decision: Is it safe for me to send my children to a Jewish school? Can we walk to synagogue without fear of the heckling? And might it be time for me and for my family to move from our neighborhood, our community, or even our country because of the antagonism and hatred and violence that forces us to flee, like other times in Jewish history?

I am proud of the bipartisanship that this topic receives from my colleagues and the widespread membership of the Bipartisan Taskforce for Combating Anti-Semitism, and I know that we will continue to use our platforms and

our tools to keep Jewish communities safe.

But the intolerance that Wiesel spoke out against wasn't limited to anti-Semitism. His life's experiences compelled him to focus our attention on any part of the world where innocent people are being targeted.

Five and a half years into the Syrian conflict, over 400,000 people have lost their lives; millions of others are displaced. Thousands of Syrian children born in the last 5 years now know only the life of living in a refugee camp or makeshift residences.

I am hopeful that the recently announced ceasefire will hold; but there have been some egregious injustices done to innocent Syrians by both the Assad regime and radical terrorist groups like ISIS. We cannot allow these violations to go unpunished, and we must pay attention to these atrocities every day, not only on the days when painful images of young children dominate social media, whether a refugee washed ashore or a bloodstained boy from Aleppo who has known only war.

Whether it is war in Syria, turmoil in South Sudan, systemic human rights violations in Venezuela or in Iran, or attacks on women and girls in too many places in the world, it is our duty to keep the attention and pressure on human rights violators and do everything we can to protect innocent civilians.

We must commit ourselves to promoting tolerance, speaking out against injustice, taking action against bigotry in all its forms, and upholding and living out the principle that comes from the Holocaust: ''Never Again.''

Elie Wiesel did his part and changed our world. Let's elevate Elie Wiesel's memory and continue his work. Silence encourages the tormentor. Today we speak out.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time.

Mr. DEUTCH. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. ENGEL), the ranking member of the Foreign Affairs Committee.

Mr. ENGEL. Mr. Speaker, I thank my friend from Florida for yielding to me. I rise in support of his resolution.

Let me start by thanking my colleague and friend from New York (STEVE ISRAEL) for his hard work on this measure.

Mr. Speaker, on July 2, a light went out of this world. Elie Wiesel was a champion of human rights, peace, and Holocaust remembrance. And though he is gone, his life and work and message are seared on our collective conscience.

Born in Romania in 1928, he survived the Sighet ghetto, Auschwitz, and Buchenwald. He was inmate number A–7713, and his number was tattooed on his arm. His mother and sister died in death camps.

When I was a little boy growing up in the Bronx, we had many people who were Holocaust survivors, and they had tattoos all over their arms, on the other side of their wrists. I remember that very, very vividly, and it is something that has been seared into my memory through the years.

When Wiesel was liberated by the United States in 1945, he moved to France and then immigrated to America.

□ 1430

In 1955, while living in France, he wrote ''Night,'' the story of his experience with his father in the Nazi death camps, and this book became the foundation of Holocaust literature. I would advise everyone to read this book. He was one of the first to put pen to paper to chronicle his own view of the darkest chapter in human history.

He won the Nobel Peace Prize in 1986. Upon giving him the prize, the Nobel Committee announced, ''Wiesel is a messenger to mankind; his message is one of peace, atonement and human dignity . . . Wiesel's commitment, which originated in the sufferings of the Jewish people, has been widened to embrace all repressed peoples and races.''

Wiesel's advocacy for victims of oppression around the world was his most recent legacy. He championed the cause of saving Darfur. He defended the Tamil people in Sri Lanka. He was outspoken against the Iranian nuclear program, and he spoke out for people around the world who were being mistreated.

Most recently, he dedicated himself to stopping the massacres of the Syrian people. He called for an international criminal trial against Assad, charging him with crimes against humanity. We on the Foreign Affairs Committee have seen documentations of those crimes against humanity of what Assad has been doing to his own people. Wiesel said that the public response to Assad's use of gas against the Syrian people was inadequate. I certainly agree.

Elie Wiesel constantly reminded us that indifference to the suffering of others is what allows evil to take hold. We must all take it upon ourselves to live Wiesel's legacy.

As was mentioned by my colleague before, anti-Semitism, once again, is rearing its ugly head around the world, and we have to speak out and condemn it and condemn all other kinds of discrimination as well. So never again—not to Jews, not to Syrians, not to African Americans, not to anyone.

This resolution honors the legacy of Elie Wiesel and reflects our commitment to carry his work and his message forward. It is important that we come together on this.

I remember when we had our annual Holocaust Remembrance services right in the Capitol discussing things with Elie Wiesel. We took a few pictures together. It is certainly something that I will cherish for the rest of my life

So, Mr. Speaker, I'm glad to support this measure. I ask everyone to vote for it.

Mr. DEUTCH. Mr. Speaker, through his writing, his work, and his life, Elie Wiesel helped the world know what transpired when Hitler tried to annihilate the Jews; and he lifted up the world in committing himself, and now all of us, to doing everything we can to ensure that nothing like that ever transpires again.

I am so grateful to my friend, Mr. ISRAEL, and to the other Members who coauthored this resolution. Mr. Speaker, I urge its passage.

I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as we have heard from every eloquent speaker before us, Elie Wiesel represented the best of humanity. He was someone who refused to allow human suffering to continue without protest, no matter the race, the religion, or the political views of the suffering. There you would always find Elie Wiesel's voice. He said: ''There may be times when we are powerless to prevent injustice, but there must never be a time when we fail to protest.''

Elie Wiesel dedicated his life to ensuring that we learn the lessons of the past, that we remember atrocities like the Holocaust, and that we refuse to allow indifference to condemn the oppressed to a life without the world's assistance or solidarity.

As we move to pass this resolution here today, Mr. Speaker, we reaffirm our commitment to Elie Wiesel's legacy to combating hate, to fighting against intolerance in all of its forms, and ensuring that we will never forget the consequences of indifference.

Mr. Speaker, I urge passage of this important resolution, but I also urge my colleagues to take a moment to reflect upon Elie Wiesel's lifelong message and his mission. It is fitting that the House is acting today on this resolution honoring the life of this great man, Elie Wiesel, but later today will also be considering a resolution recognizing the plight of Holocaust survivors.

The United States has a responsibility and, indeed, a moral obligation to fulfill this legacy. For too long we have allowed human rights to merely be an afterthought rather than a driving force in our foreign policy. We can do better, and we must do better. Let's do so with Elie Wiesel in mind.

Mr. Speaker, I would like to include the following remarks from Elie Wiesel:

I remember: On April 18th, 1944 on a house to house operation destined to rob all Jewish families of their fortunes, a policeman and an elegantly dressed Hungarian lieutenant entered our home in Sighet and asked for all our valuables: he confiscated: 431 Pengös, our entire cash, 1 camera, my fountain pen, 1 pair of seemingly gold earrings, 1 golden ring, 1 silver ring, 3 ancient silver coins, 1 military gas mask, 1 sewing machine and 3 batteries for flashlights.

They dutifully signed a document, which I have in my possession, and left for my grandmother Nissel's home, two houses away.

She was a war widow. Her husband, my grandfather whose name Eliezer I try to wear with pride, fell in battle as a medic.

In mourning, a profoundly pious woman, she wore black clothes, rarely spoke and read Psalms uninterruptedly.

A similar official document listed HER valuables . . .

One Pengö, two coins, three smaller coins.

And two pieces of 21-cm tall solid brass candlesticks. That's all she possessed.

Bureaucracy was supreme and eternal even then: whether official murder or robbery, not fearing embarrassment or retribution, everything had to be recorded.

Why the Hungarian and German armies needed was her pitiful life's savings and her Shabbat candlesticks to win their war is beyond me. At times I am overcome with anger thinking of the red coat my little 8-year old sister Tsipuka had received for our last holiday: she wore it in Birkenau walking, walking hand in hand with my mother and grandmother towards . . . A daughter of an SS must have received it as a birthday present.

Just measure the added ugliness of their hideous crimes: they stole not only the wealth of wealthy but also the poverty of the poor.

The first transport left our ghetto one month later.

Only later did I realize that what we so poorly call the Holocaust deals not only with political dictatorship, racist ideology and military conquest; but also with . . . financial gain. State-organized robbery, or just money.

Yes, The Final solution was ALSO meant to remove from Jewish hands all their buildings, belongings, acquisitions, possessions, valuable objects and properties . . . Industries, art work, bank accounts . . . And simple everyday objects . . . Remember: before being shot by Einsatzkommandos, or before pushed into the gas-chambers, victims were made to undress . . . Six millions shirts, undershirts, suits, scarfs, pairs of shoes, coats, belts, hats . . . countless watches, pens, rings, knives, glasses, children's toys, walking sticks . . . Take any object and multiplied it by six million . . . All were appropriated by the Third Reich. It was all usefully calculated, almost scientifically thought through, programmed, industrialized . . . Jews were made to be deprived of their identity, and also of their reality . . . In their nakedness, with names and title and relations worthless, deprived of their self esteem of being the sum total of their lives both comprised all that had accumulated in knowledge and in visible categories . . .

When the war ended, what was the first response to its unspeakable tragedy? For us individual Jews, the obsession was not vengeance but the need to find lost family members. Collectively, in all DP camps, a powerful movement was created to help build a Jewish State in Palestine.

In occupied Germany itself, the response moved to the judiciary. The Nüremberg Trials, the SS trials, the Doctors trials. Wiedergutmachung, restitution, compensation: were not on the agenda. The immensity of the suffering and the accompanying melancholy defied any expression in material terms.

In liberated countries, in Eastern Europe, surviving Jews who were lucky to return to their homes and/or stores were shamelessly and brutally thrown out by their new occupants. Some were killed in instantaneous pogroms. Who had the strength to turn their attention to restitution?

Then came the Goldmann-Adenauer agreement on Wiedergutmachung. The first Israelo-German conference took place early 1953 in Vassenaar, Holland. Israeli officials and wealthy Jews from America and England allegedly spoke on behalf of survivors, none of whom was present. I covered the proceedings for Israel's Yedioth Ahronoth. I disliked what I witnessed. I worried it might lead to precarious reconciliation. It did. The icy mood of the first meetings quickly developed in friendly conversations at the bar. Then also, deep down, I opposed the very idea of 'Shilumim'. I felt that money and memory are irreconcilable. The Holocaust has ontological implications; in its shadow monetary matters seem quasi frivolous. In the name of Israel's national interest, David Ben Gurion's attitude was, on the other hand, quoting the prophet's accusation of David, 'Haratzachta vegam yarashta': should the killer be his victim's heir? Logic was on his side, emotion was on mine.

In the beginning we spoke about millions, at the end the number reached billions. International accords with governments, insurance companies, private and official institutions in Germany, Switzerland and various countries. In Israel, local industry benefitted from the endeavor. As did needy individual survivors elsewhere too, including Europe and America.

Throughout those years, chroniclers, memorialists, psychologists, educators and historians discovered the Holocaust as their new field of enquiry. Some felt inadequate and even unworthy to loon into mystics would call forbidden ground, Having written enough pages on the subject, I confess that am not satisfied with my own words. The reason: there are no words. We forever remain on the threshold of language itself. We know what happened and how it happened; but not WHY it happened. First, because it could have been prevented. Second, the why is a metaphysical question. It has no answer.

As for the topic before us this morning. I am aware of the debate that was going on within various Jewish groups on the use to be made of the monies requested and received: who should get how much: institutions or persons? The immediate answer is: both.

However, it is with pained sincerity that I must declare my conviction that living survivors of poor health or financial means, deserve first priority. They suffered enough. And enough people benefitted FROM their suffering. Why not do everything possible and draw from all available funds to help them live their last years with a sense of security, in dignity and serenity. All other parties can and must wait. Do not tell me that it ought to be the natural task of local Jewish communities; let's not discharge our responsibilities by placing them on their shoulders. WE have the funds. Let's use them for those survivors in our midst who are on the threshold of despair.

Whenever we deal with this Tragedy, we better recall the saying of a great Hasidic Master: You wish to find the spark, look for it in the ashes.

(Prague restitution: unedited draft)

ELIE WIESEL.

ELIE WIESEL REMARKS, USHMM NATIONAL TRIBUTE DINNER, MAY 16, 2011

I've always believed that a human being can be defined by his or her openness to gratitude. For someone who has none, something is wrong with that person. I believe in gratitude, as a Jew, because in our tradition the first thing we do in the morning when we get up is recite a prayer of gratitude to God for making us realize that we are still alive.

Listening tonight to all you said about my work, I wonder whether words of gratitude are enough. Maybe I should compose a poem, or sing a song. It is more than rewarding.

Often my wife, the love of my life, and I discuss when I have to travel somewhere. ''Look,'' she says, ''you are getting older.'' She doesn't say ''old.'' ''Maybe you should stop, it's enough.'' Then I try to make her realize that it's never enough.

And now, a story. And a poem. The poem was written by a very great Israeli author called Uri Zvi Greenberg and the poem, in Hebrew, is about Sipur al Na'ar Yerushalmi. This is the story about a Jerusalemite boy who one day turned to his mother and said, ''Mother, I want to go to Rome.'' And the mother says ''What? You are in Jerusalem! Why do you want to go to Rome?'' ''Mother, I want to learn something about Roman culture.'' In the beginning she refused. Then she gave in, but she said to him, ''Look my son, you go to Rome. Do you know anybody there?'' ''No.'' ''What will you do in the evening?'' He said, ''I don't know . . . I will go into the field and lie down and sleep.'' And she said, ''Okay, but one thing I want you to take from me: a pillow, and when you lie down to sleep you will at least have a pillow under your head.'' He did, and every day, he left Rome, went into the fields, went to sleep, on his pillow.

One night, the pillow caught fire. That night, the temple of Jerusalem went up in flames. Can we live like that? That an event which takes place thousands of miles away has such an effect on us? That, I believe, is what the memory of the fire is doing to all of us. It makes us aware of all those who need us, all those who need maybe our words and occasionally our silence—but I mean silence in the mystical sense, not in a pragmatic situation when silence is forbidden.

What can we do with our memories unless these memories help others in their lives, in their endeavors? There is so much to remember. Sometimes it's not easy. Hegel spoke of the excess of knowledge. We have another problem: the excess of memory. It is simply too much, too heavy. We have here a man whose name should be remembered: Mark Talisman. He was vice chairman when I was chairman. I remember we spoke about it in our meetings: whom are we to remember? Naturally, first the Jews: they were the first victims, six million Jews. But we must limit that memory, which means what? I came up with an idea: that not all victims were Jewish, but all Jews were victims. So that means, as Jews, because we remember our Jewish tragedy, we make it more universal. That is the definition almost of our Jewishness: the more Jewish the Jew, the more universal the message.

And we worked on it here, and then we said okay, we remember the suffering, we remember the fire, but what about the next step? What did those who survived do with their survival? Their message is not a message of despair. It is a message of hope. We taught the world how to build on the ruins. Therefore, among the priorities that we had for this project was actually to give the survivors their place of honor in our society however we could, always for survivors first, not only because what they could say no one else had the authority to say, but also because they as human beings, as fathers, grandfathers, had something to say again, and it is almost impossible not to listen to them. And by the way, what Mark tells me now: there are survivors . . . Now of course many have done very well, and the fact is, what they have done among you, what they have done here in the Museum—the role of the survivors not only morally but also financially—is extraordinary. But there are survivors today who are still living in poverty, and I believe that we in this Museum should pay attention to that and do whatever we can to help them. And naturally, more than anyone else, we must feel empathy with those who suffer today, in Rwanda, in Darfur, in Cambodia . . .

I addressed the General Assembly, some ten years ago or more. I gave my address, entitled ''Will the World Ever Learn?'' and I came out with a very sad answer: ''no.'' Because it hasn't learned yet. Had the world learned, there would have been no Rwanda, and no Darfur, and no genocide, and no mass murder. It hasn't learned, otherwise there would be no antisemitism today. Antisemitism is the most irrational, absurd emotion that one can encounter. Somewhere, anywhere, there is someone who hates me, although he or she never met me. He or she hated me before I was born, and here it is, still practiced in certain places.

But then because of our experience we must feel—and we have felt—those who suffer today from all kinds of diseases. Take children. What you said about my little sister is true: I carmot speak about her without shedding tears. Because of her, my major preoccupation are the children of the world. Whenever I espouse a human rights cause it always has to do with children. Every minute that we spend here tonight, somewhere on this planet a child dies of hunger, of disease, of violence, or of indifference.

Life is not made of years. Life is made of moments. Sara, you called them ''formative moments.'' I simply say moments. At the end of my life, when I come to heaven, and there will be a scale, my good deeds, my other deeds, it's not my years that will be on the scale, but the moments. Some are good, glorious. Others are less so. Nothing of my life in this project—most of that experience was as rewarding. Every moment has its weight, has its meaning, and has left its legacy here in this extraordinary experience which the Museum is for anyone who enters it.

I remember during the inauguration, what President Clinton mentioned. I turned to him and I said he must do something about Sarajevo, about the tragedy in Bosnia. It was Clinton who later on, on television, spoke about the role of the citizen. And he simply said, ''you want to know what a simple citizen can do? A simple citizen can change America's policy in the Balkans.'' He turned to me and said, ''He did it.''

What we can do with memory is of incommensurable importance. We really can change the world. And so, for these moments and for your kindness and for all the commitment to remembrance which is the noblest endeavor a human being can undertake: simply to remember the dead. To forget the dead would mean not only to betray them but to give them a second death, to kill them again. We couldn't prevent the first death, but the second one we can, and therefore we must.

And so, whenever we deal with memory, you should think that the pillow under your head is burning.

Thank you.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING SUPPORT FOR THE GOAL OF ENSURING THAT ALL HOLOCAUST VICTIMS LIVE WITH DIGNITY, COMFORT, AND SECURITY IN THEIR REMAINING YEARS

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and concur in the concurrent resolution (S. Con. Res. 46) expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to continue to reaffirm its commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

S. CON. RES. 46

Whereas the annihilation of 6,000,000 Jews during the Holocaust and the murder of millions of others by the Nazi German state constitutes one of the most tragic and heinous crimes in human history;

Whereas hundreds of thousands of Jews survived persecution by the Nazi regime despite being imprisoned, subjected to slave labor, moved into ghettos, forced to live in hiding or under false identity or curfew, or required to wear the ''yellow star'';

Whereas in fear of the oncoming Nazi Einsatzgruppen, or ''Nazi Killing Squads'', and the likelihood of extermination, hundreds of thousands of Jewish Nazi victims fled for their lives;

Whereas whatever type of persecution suffered by Jews during the Holocaust, the common thread that binds Holocaust victims is that they were targeted for extermination and they lived with a constant fear for their lives and the lives of their loved ones;

Whereas Holocaust victims immigrated to the United States from Europe, the Middle East, North Africa, and the former Soviet Union between 1933 and the date of adoption of this resolution;

Whereas it is estimated that there are at least 100,000 Holocaust victims living in the United States and approximately 500,000 Holocaust victims living around the world, including child survivors of the Holocaust;

Whereas tens of thousands of Holocaust victims are at least 80 years old, and the number of surviving Holocaust victims is diminishing;

Whereas at least 50 percent of Holocaust victims alive today will pass away within the next decade, and those living victims are becoming frailer and have increasing health and welfare needs;

Whereas Holocaust victims throughout the world continue to suffer from permanent physical and psychological injuries and disabilities and live with the emotional scars of a systematic genocide against the Jewish people;

Whereas many of the emotional and psychological scars of Holocaust victims are exacerbated in the old age of the Holocaust victims;

Whereas the past haunts and overwhelms many aspects of the lives of Holocaust victims when their health fails them;

Whereas Holocaust victims suffer particular trauma when their emotional and physical circumstances force them to leave the security of their homes and enter institutional or other group living residential facilities;

Whereas tens of thousands of Holocaust victims live in poverty and cannot afford, and do not receive, sufficient medical care, home care, mental health care, medicine, food, transportation, and other vital life-sustaining services that allow individuals to live their final years with comfort and dignity;

Whereas Holocaust victims often lack family support networks and require social worker-supported case management in order to manage their daily lives and access government-funded services;

Whereas in response to a letter sent by Members of Congress to the Minister of Finance of Germany in December 2015 relating to increased funding for Holocaust victims, German officials acknowledged that ''recent experience has shown that the care financed by the German Government to date is insufficient'' and that ''it is imperative to expand these assistance measures quickly given the advanced age of many of the affected persons'';

Whereas German Chancellor Konrad Adenauer acknowledged, in 1951, the responsibility of Germany to provide moral and financial compensation to Holocaust victims worldwide;

Whereas every successive German Chancellor has reaffirmed that acknowledgment, including Chancellor Angela Merkel, who, in 2007, reaffirmed that ''only by fully accepting its enduring responsibility for this most appalling period and for the cruelest crimes in its history, can Germany shape the future'';

Whereas, in 2015, the spokesperson of Chancellor Angela Merkel confirmed that ''all Germans know the history of the murderous race mania of the Nazis that led to the break with civilization that was the Holocaust . . . we know the responsibility for this crime against humanity is German and very much our own''; and

Whereas Congress believes it is the moral and historical responsibility of Germany to comprehensively, permanently, and urgently provide resources for the medical, mental health, and long-term care needs of all Holocaust victims: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) acknowledges the financial and moral commitment of the Federal Republic of Germany over the past seven decades to provide a measure of justice for Holocaust victims; and

(2) supports the goal of ensuring that all Holocaust victims in the United States and around the world are able to live with dignity, comfort, and security in their remaining years.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD.

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

There was no objection.

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

I would like to start by thanking Senator NELSON for advancing this

measure through the other body. I would also like to recognize the good work of Chairman Emeritus ROS-LEHTINEN as well as Congressman DEUTCH for their companion resolution which passed this body in June with the unanimous support of our colleagues.

The horrors wrought by the Nazi regime did not end when the prisoners finally walked out from behind the barbed wire fences in 1945. The aftereffects of Hitler's death camps still haunt the lives of those who remain.

Tens of thousands of Holocaust survivors throughout the world live in poverty. The problem is staggering. There are 195,000 survivors and their families, according to the Registry of Holocaust Survivors, that remain. Most of those survivors, original survivors, are in their eighties today. The world loses 1,000 of those survivors every month.

But today, more than one in four lack sufficient access to or funds for necessary medical, home care, mental health care, medicine, and transportation—essential tools which would allow them to live their final years in comfort and in dignity.

For decades, Germany has instituted and funded a number of aid programs in recognition of its moral obligation to guarantee for those survivors—to guarantee—a chance at such a life. However, as they age, Holocaust victims' health and assistance needs—already more demanding than those of their peers—evolve and intensify. German evaluations of government programs this year exposed gaps in home care, in mental health programs, and in long-term medical care, and this must be remedied.

Chancellor Merkel has acknowledged Germany's responsibility to those who survived Hitler's terror. The government has also affirmed that more must be done. A high-level working group was recently established to develop proposals for more extensive assistance for home care and for social welfare needs, but the negotiations for these changes, these program changes, under German law have stalled.

Time is of the essence. Every day that decisions are stalled, we lose another survivor, we lose another story, and we lose another chance to show our respect for those individuals who have already endured what no one should. That is why our ranking member, ELIOT ENGEL, and I are supportive of this measure and would urge all Members to support it.

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

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

Mr. Speaker, I rise in strong support of this resolution.

I want to thank the chairman, as always, for being so cooperative and important in passing this legislation. I want to thank my friends from Florida, Ms. ROS-LEHTINEN and Mr. DEUTCH, who introduced the House companion to this resolution, which I was proud to cosponsor and which passed the House in June.

Mr. Speaker, there are roughly a half million survivors of the Holocaust alive today—many people think it is not much, but it is, a half million—all over the world. Many of these men and women are now reaching their eighties and nineties, and some even older.

These individuals, of course, lived through the darkest chapter in human history. They endured unspeakable horrors, and many still suffer the physical and emotional trauma stemming from that experience. So it is absolutely tragic that so many survivors today are forced to live in poverty with inadequate health care, food, and access to transportation. It is unconscionable that, at the end of their lives, these people find themselves without adequate support.

Now, the Government of Germany accepts responsibility to support these survivors and, over the decades, has done a great deal, but even their officials acknowledge that more needs to be done. This resolution calls on the authorities in Germany to make sure every Holocaust survivor has the support and resources they need to live in dignity.

We know it is never easy for a government to dig deeper, but in the case of this generation of survivors, there should not be any question that they should be able to live out their lives without worrying over how to pay the medical bills or the grocery bills. It is important that we do this. I am glad to support this measure.

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

Mr. ROYCE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I thank my good friend, our wonderful chairman of the Foreign Affairs Committee, for the time, and I thank the ranking member as well. What a joy it has been to work with my Florida colleague, TED DEUTCH, on this important bill.

Mr. Speaker, we have before us a concurrent resolution introduced by our wonderful Florida Senator, BILL NELSON. This measure follows a similar bipartisan resolution that my south Florida friend, TED DEUTCH, and I introduced earlier this year, which this body passed unanimously in June. The vote was 363–0.

I want to thank Senator NELSON as well as Senator COLLINS for taking the lead on this initiative in the Senate and for the Senate taking action, passing this important resolution, and bringing it back to us. I want to thank Chairman ROYCE and Ranking Member ENGEL for their support on this measure and helping it get to the floor today.

This bipartisan resolution, Mr. Speaker, is simple, but it is so important. It calls on Germany to honor its moral and historical obligations to all Holocaust survivors and to provide for their unmet needs immediately and comprehensively. That is something that is going to happen thanks to all of the good men and women here.

For TED, for Senator NELSON, and for me, this issue hits very close to home, Mr. Speaker. As Members of Congress from the State of Florida, we represent thousands of Holocaust survivors. Some 15,000 are estimated to be living in south Florida alone.

But it hits even closer to home today. Why? Because, when I spoke on this floor in June in support of the version that Mr. DEUTCH and I introduced in the House, I mentioned several of the Holocaust survivors whom TED and I have been honored to call our dear friends. Among them was a remarkable and incomparable gentleman named Jack Rubin. Sadly, Jack passed away July 11, at the age of 88.

□ 1445

Jack and his two sisters survived the unimaginable, Mr. Speaker—the atrocities of humanity's darkest period. Jack managed to survive the nightmares of Auschwitz and three other death camps, four in total, until he was, as he testified in Congress in 2008, ''liberated on May 1, 1945, from hell, by the U.S. Army.''

Once Jack came to the United States, he served in the U.S. Army. That is how much he loved his new country.

For all that Jack had witnessed, for all that Jack had lived through, somehow he drew strength from his trials and tribulations and became a leading force in the fight for justice and dignity for all Holocaust survivors. And on this issue that we have before us today, Mr. Speaker, Jack was an unwavering voice and a force for justice. He led the call for Germany to honor its commitments to provide for all of the survivors' medical, mental, and home care needs.

Thankfully, Jack lived to see the House pass our resolution. He even lived to see the Claims Conference in Germany announce an alleged major expansion in home care for Holocaust survivors.

But, Mr. Speaker, I think that if Jack were here today, he would say: But we must do more.

You see, as part of the heralded announcement by the Claims Conference in Germany, Germany was supposed to lift the home care caps for all concentration camp and ghetto survivors.

Yet, the sad truth is, Mr. Speaker, according to the reports that we have seen, this claim is just not true, and many survivors are still subjected to arbitrary caps on home care hours, some even having their weekly hours reduced.

What has happened?

To make matters worse, the Claims Conference in Germany's recent negotiations did not even address the horrendous shortfalls in funding for emergency services such as medicine, medical care, dental care, hearing aids, and other vital services for survivors. This omission is inexcusable, Mr. Speaker. It will cause further needless suffering and deaths among survivors in need of help.

Germany has an obligation to do better than that, and I am optimistic that it will. We have an obligation to Holocaust survivors to do better to ensure that they live out their days in the dignity and comfort that they deserve.

What does this mean, Mr. Speaker?

It means full funding for all health and welfare needs for all survivors. That is why this resolution before us today is so timely and so important.

My friend, Jack Rubin—and I know that he was Mr. DEUTCH's friend as well—dedicated his life to justice for all Holocaust survivors. It is up to us to keep fighting for all the Jack Rubins of the world to continue Jack's legacy until justice is finally won. I will keep fighting for Jack's legacy and for all survivors.

I urge my colleagues to do the right thing and to support this resolution. We must urge our German friends to do more, to do the right thing for all Holocaust survivors. Passing this resolution will send a strong message that we believe the job is not yet done and that more must be done.

Those of us—like Mr. DEUTCH, like Mr. ROYCE, and like Mr. ENGEL—who have been in the forefront—Senators NELSON and COLLINS—of the fight for Holocaust survivors' rights, needs, and interests are grateful for the unanimous support of our colleagues in the House and in the Senate for these resolutions.

Mr. Speaker, it has been over 70 years since humanity's darkest period, yet many survivors today still face lingering injustices of the Holocaust. We have had opportunities to address these injustices and, indeed, we have had an obligation to address them and to try to fix the wrongs of the past.

Germany has acknowledged its responsibility and its obligations to Holocaust survivors. Congress has acknowledged that we have a moral obligation to survivors—many of whom are American citizens, many of whom are our constituents, and many of whom live today at or below the poverty line.

We must acknowledge that too many Holocaust survivors are forced, even today, over 70 years later, to continue to suffer the injustices of the past and the indifference of the present. But for the survivors who remain and for all whom we have lost, we must—and we are here today—take a stand. We hope Chancellor Merkel of Germany and the German Government will hear our pleas for action and take them to heart so that the remaining survivors may live out their lives in the comfort and the dignity that they deserve.

In closing, Mr. Speaker, I would say that if we are going to stand for justice for all survivors, then we must also acknowledge the other still unresolved injustices being inflicted on Holocaust survivors in our time—specifically, the act of being denied their day in court. It is simply unconscionable that insurance companies such as Allianz and Generali have managed to dishonor tens of thousands of insurance policies they sold to Jews in Europe before the Holocaust, and continue to deny Holocaust survivors and their families these paid-for obligations. To this day, they refuse to acknowledge this.

The obligations of the insurers are moral and financial. I believe it is imperative that this Congress rectify the unfortunate reality that makes Holocaust survivors second-class citizens by denying them access to U.S. courts to attempt to reclaim these family legacies.

It is quite simply a right they have been denied far too long. We cannot bring them back, we cannot correct the problems that happened in the past, but we can correct them now, Mr. Speaker. We can correct them for the heirs who deserve justice. It is within our power to do so.

Mr. Speaker, I applaud my colleagues in Congress for supporting this resolution. I thank them for lending their voices to the cause of justice for all Holocaust survivors. This is just one step—it is an important step—in the long road to justice. I implore my friends and colleagues to continue to do more in support for all Holocaust survivors.

I thank my good friend, the chairman of our committee, for this time.

Mr. ENGEL. Mr. Speaker, I want to first congratulate my colleague from south Florida for her outstanding statement and her outstanding work.

Mr. Speaker, I yield 5 minutes to the gentleman from Florida (Mr. DEUTCH), a valued member of the Foreign Affairs Committee and an author of the House companion to this resolution.

Mr. DEUTCH. Mr. Speaker, I thank my friends, Ranking Member ENGEL and Chairman ROYCE, for their efforts. A sincere thanks to my dear friend, Chairman ILEANA ROS-LEHTINEN, for her partnership on this effort, her unyielding commitment to seeing that there is justice. She has been a tireless advocate for Holocaust survivors and the entire community. I also want to thank our Florida colleague, Senator BILL NELSON, and Senator COLLINS, for spearheading this effort in the Senate. We share a deep commitment to ensuring that every survivor can live out his or her life with dignity. It is a commitment that was inspired each and every day by those in our own communities. But for me, especially, it was a commitment inspired every day by our great friend and Holocaust survivor, my constituent, Jack Rubin.

Jack survived Auschwitz and three other death camps before he was liberated at age 16. He was the only member of his family to survive.

For decades, Jack fought for the needs of the survivor community. He fought for the right to seek justice. He was a voice for so many of those who had no one to speak for them. He traveled to Washington, D.C., many times at his own expense, well into his eighties. He testified in front of Congress. For me, Jack was a friend and a mentor. He was a cheerleader, he was an eternal optimist. He believed that it wasn't too late, it was never too late, to make a real difference in the lives of those who had suffered history's greatest tragedy.

When the House version of this resolution passed back in June, Jack was watching from his home in Boynton Beach, Florida. When I returned to my office from speaking on the floor, I had a message from Jack telling me that he had tears in his eyes as he watched the House vote and that it was the best birthday present he could have asked for.

Jack Rubin passed away in July, just days before the Senate passed this resolution. His wife, Shirley, his children, and especially his grandchildren, understood the commitment that he made throughout his lifetime to help those in need, especially in the survivor community. And while significant progress has been made on survivor care, Jack did not, unfortunately, live to see the day when every Holocaust survivor has his or her medical and mental health care needs met. So we continue this fight. We will press on, and passing this resolution today is the first step in continuing the legacy of my friend, Jack Rubin.

When the House passed a version of this resolution in June, we were awaiting the results of a special round of negotiations between the German Government and the Claims Conference. In December 2015, the Government of Germany acknowledged the significant gap in funding for survivor care. As a result, Germany agreed to a new, high-level working group that would conduct additional negotiations aimed to close the gap for funding of home care needs.

In an effort to make clear the severity of the needs and the critical importance of these negotiations, Chairman ROS-LEHTINEN and I introduced the House companion to this resolution. The introduction and passage of that resolution, which urged the German Government to fulfill its moral and financial obligations to victims of the Holocaust, sent a very clear message to our German friends that the U.S. Congress was watching these negotiations. As we watched, a significant increase in home care funding was announced for 2016 and 2017, and a new agreement reached for 2018. Arbitrary caps placed on the number of home care hours allowed were also lifted. This is a commendable step forward, but there are still so many unmet needs.

I am deeply appreciative of the decades-long commitment of the German Government to caring for survivors. I

have spoken directly to Chancellor Merkel about this commitment, and I know that it is personal for her. I want our German friends to understand that this isn't about getting to a specific dollar figure. This is about continuing to meet all needs for a very small, very fragile part of the population that is rapidly aging.

This is the last chance to make sure that those who suffered through the most horrific crimes against humanity are cared for. Survivors are in their eighties, nineties, and into their one hundreds. There is a finite amount of time left. This is not an indefinite commitment on the part of Germany.

The resolution before us today continues to support the goal of ensuring that all Holocaust victims in the United States and around the world are able to live with dignity, comfort, and security in their remaining years.

No amount of money can ever erase the tragedies of the past. No amount of money is ever a substitute for justice. But the day-to-day suffering of this very vulnerable population can be eased. The needs of elderly survivors are exacerbated by their physical and mental experiences during the Holocaust. Leaving their own homes for institutionalized care is often not an option. The tragic loss of many family members at the hands of Nazis means that many survivors rely on social services for meal deliveries or rides to doctor appointments. These are the most basic of human needs, and they deserve to have them met.

I want to thank my friend, Chairman ROS-LEHTINEN, and I want to thank Ranking Member ENGEL and Chairman ROYCE for their support, and Senator NELSON and Senator COLLINS for their efforts in the Senate.

I want to urge my colleagues to join us in urging Germany to ensure basic dignity and comfort for survivors.

When you look into the eyes of survivors in my district, as I do quite often, they worry about others. They say: Never again.

But we should worry about them. For their remaining time on this Earth, they deserve peace through living out their lives with dignity. Germany can help make sure that they do. Jack Rubin knew and fought for that literally until his last breath, and this resolution commits Congress to that fight for dignity.

□ 1500

Mr. ENGEL. Mr. Speaker, I yield myself the balance of my time.

Our colleagues have been very eloquent this afternoon, and I agree with everything that has been said here, along with what the chairman has said.

Mr. Speaker, every year we lose more and more of those who lived through the Holocaust, and it is unthinkable that many spend their last days in poverty with no support network. Nobody wants that.

With this resolution, we are simply saying that this should not be the case. We are saying that these survivors should never go without assistance and resources and that it is time for the Government of Germany to work with its partners and correct this problem.

So for all the reasons that were mentioned, I support this measure. I urge my colleagues to do the same.

I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself the balance of my time.

So I think, for the Members here, we all understand that we have to commit to do all we can to honor and to support those survivors who are still with us. Their stories serve as testaments to the consequences of doing nothing in the face of evil.

Within these victims' lifetimes, we have already seen the minimization and the outright denial of the nightmares visited personally upon them during the Holocaust. We have already seen those who deny the existence of the Holocaust, as Iran did in May of this year again when it hosted yet another denial of the Holocaust and Holocaust cartoon contest.

We owe it to those who suffered through Hitler's genocide to empower them to live the remainder of their lives in dignity and to hold to Elie Wiesel's pledge: that we shall never forget.

I urge every Member's support for this resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and concur in the concurrent resolution, S. Con. Res. 46.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

EXPRESSING SUPPORT FOR A NEW MEMORANDUM OF UNDERSTANDING ON MILITARY ASSISTANCE TO ISRAEL

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 729) expressing support for the expeditious consideration and finalization of a new, robust, and long-term Memorandum of Understanding on military assistance to Israel between the United States Government and the Government of Israel.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 729

Whereas in April 1998 the United States designated Israel as a ''major non-NATO ally'';

Whereas, on August 16, 2007, the United States and Israel signed a 10-year Memorandum of Understanding (MoU) on United States military assistance to Israel, the total assistance over the course of this understanding would equal $30,000,000,000;

Whereas since the signing of the 2007 Memorandum of Understanding, intelligence and defense cooperation has continued to grow;

Whereas, on October 15, 2008, the Naval Vessel Transfer Act of 2008 was signed into law (Public Law 110–429) and defined Israel's qualitative military edge (QME) as ''the ability to counter and defeat any credible conventional military threat from any individual state or possible coalition of states or from non-state actors, while sustaining minimal damage and casualties, through the use of superior military means, possessed in sufficient quantity, including weapons, command, control, communication, intelligence, surveillance, and reconnaissance capabilities that in their technical characteristics are superior in capability to those of such other individual or possible coalition of states or non-state actors'';

Whereas, on July 27, 2012, the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112–150) declared it to be the policy of the United States ''to help the Government of Israel preserve its qualitative military edge amid rapid and uncertain regional political transformation'';

Whereas Israel faces immediate threats to its security from the United States designated Foreign Terrorist Organization, Hezbollah, and its missile and rocket stockpile estimated to number around 150,000, and from the United States designated Foreign Terrorist Organization, Hamas, that continues to attempt to rebuild its tunnel network to infiltrate Israel and restock its own missile and rocket stockpiles;

Whereas Israel also faces immediate threats to its security from the ongoing regional instability in the Middle East, especially from the ongoing conflict in Syria and from militant groups in the Sinai;

Whereas Iran remains a threat to Israel, as demonstrated by Iran's continued bellicosity, including several illegal tests of ballistic missiles capable of carrying nuclear warheads, even reportedly marking several of these weapons with Hebrew words declaring ''Israel must be wiped out'';

Whereas the National Defense Authorization Act for Fiscal Year 2016 authorized funds to be appropriated for Israeli cooperative missile defense program codevelopment and coproduction, including funds to be provided to the Government of Israel to procure the David's Sling weapon system as well as the Arrow 3 Upper Tier Interceptor Program; and

Whereas, on December 19, 2014, the President signed into law the United States-Israel Strategic Partnership Act of 2014 (Public Law 113–296) which stated the sense of Congress that Israel is a major strategic partner of the United States and declared it to be the policy of the United States ''to continue to provide Israel with robust security assistance, including for the procurement of the Iron Dome Missile Defense System'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) reaffirms that Israel is a major strategic partner of the United States;

(2) reaffirms that it is the policy and law of the United States to ensure that Israel maintains its qualitative military edge and has the capacity and capability to defend itself from all threats;

(3) reaffirms United States support of a robust Israeli tiered missile defense program;

(4) supports continued discussions between the Government of the United States and the Government of Israel for a robust and long-term Memorandum of Understanding on United States military assistance to Israel;

(5) urges the expeditious finalization of a new Memorandum of Understanding between the Government of the United States and the Government of Israel; and

(6) supports a robust and long-term Memorandum of Understanding negotiated between the United States and Israel regarding military assistance which increases the amount of aid from previous agreements and significantly enhances Israel's military capabilities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material for the RECORD.

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

There was no objection.

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

I want to thank my good friends, the gentlewoman and gentleman from Florida, Ms. ROS-LEHTINEN and Mr. DEUTCH, who are chair and ranking member of the Middle East and North Africa Subcommittee, for their hard work and leadership in bringing this important measure to the floor today. And I also thank the ranking member, Mr. ELIOT ENGEL from New York, for his work on the resolution as well.

Israel is one of America's closest friends, and Israel is facing growing threats. Today Iran's leading terrorist proxy, Hezbollah, has thousands of missiles and rockets and mortars that are aimed at Israel—over 100,000. And the threat from Iran's Revolutionary Guard Corps is even worse, as we hear from those chants: ''Death to Israel.''

The United States must stand with Israel to help promote security and stability in the volatile Middle East. And next year, the current memorandum of understanding signed with Israel in 2007 that guaranteed Israel $3.1 billion per year in foreign military financing will expire.

The administration and Israel are currently negotiating the terms of a new package for the next 10 years, ensuring that Israel will maintain its qualitative military edge in the region. That is the goal of Mr. ELIOT ENGEL. That is my goal. That is the goal of our subcommittee chairman and ranking member.

This new agreement will guide our security cooperation: from Iron Dome and David's Sling, defending Israel from the air, to cooperative initiatives aimed at tunnel detection, defending Israel from below.

This relationship has real benefits for the United States. The two countries share intelligence on terrorism, on nuclear proliferation, on regional instability. Israel's military experiences have shaped the United States' approach to counterterrorism and our approach to homeland security. The two governments work together to develop sophisticated military technology for defense, such as the missile and subterranean detection systems that I have mentioned. These systems developed jointly may soon be ready for export to other U.S. allies.

In part because of this security partnership, U.S. and Israeli companies partner in technological innovations that are helping the United States maintain its advantage in a range of military and nonmilitary security challenges.

So I urge my colleagues to strongly support this resolution, urging the expeditious finalization of a new memorandum of understanding between the Government of the United States and the Government of Israel so that Israel maintains its qualitative military edge and has the capacity to work with us to defend itself from all threats.

I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself as much time as I might consume.

Mr. Speaker, I rise in support of this resolution. I am proud to cosponsor this resolution, which calls for the expeditious consideration and finalization of a new, robust, and long-term memorandum of understanding on military assistance to Israel. The bond between United States and Israel is unbreakable. We share common values and goals, including democracy, rule of law, minority rights, and basic human freedom.

In 2008, the George W. Bush administration negotiated a memorandum of understanding with Israel that guaranteed $3.1 billion in annual security assistance. Since then, the Obama administration has delivered on this commitment and has provided additional funds for missile defense, including the 2014 emergency supplemental for Iron Dome, which we passed in this House.

Since that agreement, Israel has faced some of the most urgent threats in history: rockets and tunnels from Gaza and Lebanon, nuclear threats from Syria and Iran, and the spread of ISIS throughout the region. And the United States has been there by Israel's side throughout this dangerous time.

These threats are only becoming more complex. ISIS has grown in the Sinai. Israel's neighbors are facing new burdens from refugees, leading to instability. And Iran's behavior in the region has, unfortunately, become even more dangerous.

So yesterday's insurance policy has become today's lifeline. As Israel confronts new threats, the United States must step up to defend our ally. Part of this will be through a new, negotiated MOU, or memorandum of understanding, to reflect the changing times and evolving threats in the Middle East.

Israel will need its American partner; but, make no mistake, the United States needs Israel as well. This relationship isn't a one-way street. Our security cooperation and intelligence sharing with Israel has never been closer. Israel helps develop new technology that the United States uses in our own security efforts. And the military hardware we are providing to help Israel defend itself will be spent here in the United States, saving or creating thousands of American jobs.

This resolution and its robust support here in the House, in both parties, demonstrates the true nature of the relationship between the United States and Israel. The support is bipartisan. Neither Democrats nor Republicans have a monopoly on support for Israel. Democrats and Republicans stand together, united with Israel. The American people stand with Israel.

The next MOU will be the next chapter in this friendship. It shows that no matter who the next President will be, Israel has America's promise of support. As Israel faces uncertainties throughout its region, at least it can count on American support, and Congress should work to make that happen. Israel has never asked for American troops or soldiers or for anyone to defend them except themselves, and we ought to continue to help them do that.

I ask all Members to support this resolution.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida (Ms. ROS-LEHTINEN), who chairs the Foreign Affairs Subcommittee on the Middle East and North Africa and is the author of this measure.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank my good friend, the chairman of our wonderful committee, the gentleman from California (Mr. ROYCE).

Mr. Speaker, I cannot emphasize enough just how important it is that the United States and Israel finalize a new, long-term, and robust memorandum of understanding on U.S. military assistance to Israel. And an overwhelming majority of our colleagues in Congress agree.

This bipartisan resolution, Mr. Speaker, H. Res. 729, that I introduced alongside my friend and colleague, the gentleman from south Florida (Mr. DEUTCH), the ranking member of our Middle East and North Africa Subcommittee, has over 275 cosponsors. This is the kind of support we don't see very often, but it underscores the level of commitment and support that the United States Congress has for our closest friend and ally, the democratic, Jewish State of Israel.

It is absolutely imperative, Mr. Speaker, that the administration finalize and sign a new memorandum of understanding with Israel as soon as possible because the threats to Israel aren't going away anytime soon.

Just last week, it was reported that the Israeli military had assessed that

it expects ISIS attacks on its southern border within 6 months. This is extremely alarming and, if true, all the more reason to finalize a new MOU with Israel.

We know that Egypt has been fighting ISIS in the Sinai for quite some time now; but if ISIS is able to continue moving north toward Israel, it would leave Israel vulnerable on almost every border, except the border that it shares with Jordan, where the King and the Jordanians have been so important in the fight against ISIS.

As if the thought of ISIS surrounding the Jewish state was not daunting enough, as a result of the Iran nuclear deal, the threats to Israel have only increased in magnitude and severity. Iran has shown that it has no intention of slowing down its ballistic missile program, which it uses to repeatedly threaten Israel. We have recently learned that the nuclear deal is full of secret concessions and exemptions to Iran which allow Iran to exceed limits that are set forth in the deal. And these are just the ones that we know of now. There are likely a lot more.

We just heard testimony last week that the administration may have sent Iran up to $33.6 billion in cash payments, including $1.7 billion in ransom payments. Administration officials have said that there is no way of tracing the money or of telling if that money will be used to support terror; but Iran had said that it needed hard currency, so we sent it because that is a great idea: to give a state sponsor of terror an infusion of billions of dollars of cold, hard cash. That makes a lot of sense.

So now Iran has as much as $33.6 billion in cash; and, no doubt, it will be used to support terror. There is no doubt. It will be used to shore up Hezbollah's weapons supply. It will be used to increase the missile stockpile of Hezbollah. It will be used for many nefarious activities. And with Iran's stated intention to wipe Israel off the map, there should be no time wasted in ensuring that the Jewish state has the capability, has the capacity to defend itself and her people from every threat.

With all of the concessions that the administration has made to Iran, we need to make sure that this memorandum of understanding goes above and beyond.

As my former chief of staff of the Foreign Affairs Committee, Dr. Yleem Poblete, wrote in a piece for the Gatestone Institute a couple of months ago:

''The terms of any U.S.-Israel agreement must withstand comparison to the concessions offered Iran in the JCPOA and show unequivocally that Israel, a trusted ally and major strategic partner, fared better in negotiations than an unconstrained enemy.''

This is why the administration must conclude this MOU with Israel. It would send a strong message to the people of Israel that the United States continues to stand by them and support them. But, Mr. Speaker, it would send an even stronger message to those who seek to harm Israel by signifying that the United States is committing to fully support Israel's defense and security needs.

So I urge my colleagues to support this measure. I call upon the administration to put the politicking aside, get this agreement done, secure Israel's safety and our own interests.

We are going to hear a lot of support for this resolution. We have heard about the many threats facing Israel.

□ 1515

And I spoke about the nuclear threat and how it has placed Israel in greater jeopardy. But what we don't hear too much about, Mr. Speaker, is how the nuclear deal has threatened Israel's qualitative military edge, the QME, that, by U.S. law, we are supposed to ensure.

When the administration signed that weak and dangerous nuclear deal with Iran, it had to sell it to the international community. How did it do that? Well, in order to sell the deal to our allies in the Gulf, the administration had to promise them that we would provide them with advanced weapon sales.

The administration likes to say that the Iran deal will make the world safer. But if that is true, then why are we going to increase so much the militarization of the Gulf countries?

Mr. Speaker, I expect that Gulf states sales of military jets to Bahrain, to Qatar, and to Kuwait will be approved by the administration as early as this month. We are about to open the spigot of cash that Iran can then use to build up its ballistic missiles, its military, and its terror activities. So we need to make sure that Israel understands that we are there to support her.

It makes no sense, Mr. Speaker, that we should be concentrating on stopping Iran, not assisting the regime, to further carrying out its nefarious activities and certainly not helping to build up its conventional nuclear arms race in the region. Not to mention that by doing this we are undermining the distinct advantage that Israel has militarily over its neighbors.

Even though Israel and our other partners in the region may have better relations now than ever before—and that is true, and that is wonderful—because they have an Iran, a mutual enemy that they understand is their greatest threat, history tells that it is better to be safe than sorry. So that is another important reason why we need to conclude this MOU with the Jewish state and ensure its qualitative military edge.

We have an ever increasingly dangerous Iran, a heavily militarized Middle East with advanced weaponry, ISIS becoming an even greater threat to Israel, Hezbollah on the Golan Heights and in Lebanon, and, of course, Hamas in Gaza. That is a daunting task to ask of even the largest country, Mr. Speaker, let alone the tiny Jewish state.

So I urge my colleagues to support this resolution. I urge them to call upon the administration to uphold longstanding U.S. policy toward our closest friend and ally, the democratic Jewish state of Israel.

I thank the gentleman for the time.

Mr. ENGEL. Mr. Speaker, I now yield 3 minutes to the gentleman from Florida (Mr. DEUTCH), an author of this resolution and a very valued member of the Foreign Affairs Committee.

Mr. DEUTCH. Mr. Speaker, I thank Ranking Member ENGEL for his support of this resolution and his outspoken and unwavering support for the U.S.-Israel relationship. I also thank Chairman ROYCE for his support of this as well. And to my friend and partner, Representative ROS-LEHTINEN, I thank her as well. It is wonderful working with her on so many issues, but in particular our work on the committee to strengthen the U.S.-Israel relationship. Thanks as well to Representatives GRANGER and LOWEY for their efforts.

Mr. Speaker, reports indicate that the United States and Israel are very close to signing a new memorandum of understanding, a 10-year MOU on security systems.

This resolution before us today is very straightforward. It urges the conclusion of those negotiations. It doesn't prescribe terms of the MOU. It says that we need to get the MOU finished. This resolution has the overwhelming bipartisan support of over 275 Members of this House who are cosponsors.

Now, the MOU is the backbone of our security relationship with Israel. The assistance provided has ensured and will continue to ensure that Israel is able to defend herself against any and all threats.

The threats that Israel faces increase every day. Every day the threat of rocket attacks from Hamas, Islamic Jihad, or Hezbollah looms. Every day Hezbollah adds more advanced rockets to its arsenal of over 150,000 capable of reaching every corner of Israel. Every day Iran transfers advanced technology and weapons to its terror proxies who target Israel. And every day Hamas is attempting to re-dig tunnels farther and farther into Israel.

ISIS militants edge closer to Israel's border in the Sinai, and the fighting in Syria creeps closer and closer into the Golan Heights. Terrorist groups now have unprecedented, sophisticated capabilities, and many of these pose a strategic threat to the broader region.

Mr. Speaker, Israel must have the resources that it needs to protect the safety and security of its territory and its people and, in turn, to preserve our own security and interests in the region.

Throughout these negotiations, the administration has said that it is prepared to conclude the largest ever aid package to Israel. Now, these funds, coupled with our enduring commitment to preserving Israel's qualitative

military edge, will help Israel remain strong and secure. And as the only democracy in the region, Israel stands as a beacon of hope for those around the world who recognize the global threat of terrorism and for those who value opportunity, equality, and freedom.

When this Congress speaks with one voice, Israel is stronger and safer. By passing this resolution, this Congress is sending a message to the world that we stand united in support of a new MOU, in support of Israel's right to self-defense, and in strong support of the U.S.-Israel relationship.

I urge my colleagues to support this resolution.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. YOHO), a member of the Committee on Foreign Affairs.

Mr. YOHO. Mr. Speaker, I would like to thank my colleague. I stand in support of Representative ROS-LEHTINEN's H. Res. 729.

It is imperative that the United States finalize a new MOU with Israel on military assistance that provides for a robust defense posture of Israel while ensuring congressional oversight and scrutiny in the years to come.

Israel continues to face a growing threat from not only state sponsors of terrorism like Iran, but also from terrorist organizations like Hezbollah and Hamas. Both Iran and those terrorist organizations are determined to destroy Israel.

Israel, one of the United States' greatest allies in the region, is under constant threat; and the United States must stand strong and support her.

Hezbollah has an estimated stockpile of 150,000 rockets and missiles. Let me repeat that. It has over 150,000 rockets and missiles, which Iran has made a commitment to add smart bomb technology. This constant threat is growing and needs to be countered by the passage of a robust, long-term MOU. This will ensure Israel's defense and military capabilities are able to meet these growing threats.

I urge my colleagues to support H. Res. 729 and support the continued defense cooperation with Israel.

Mr. ENGEL. Mr. Speaker, may I ask if there are any more speakers on the Republican side?

Mr. ROYCE. Mr. Speaker, there are no further speakers other than myself to close.

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

I want to thank the sponsors of this resolution, Ms. ROS-LEHTINEN and Mr. DEUTCH, for their hard work in crafting such a timely resolution. I thank, once again, Chairman ROYCE for working with me and the sponsors of this resolution to move this forward expeditiously.

Mr. Speaker, one of the things I always say is that the relationship between the United States and Israel is bigger than any of the personalities involved. Presidents come and go, Prime Ministers come and go, Members of Congress come and go, members of the Knesset come and go, but the relationship between the U.S. and Israel endures and endures strongly.

The success of the last MOU between the United States and Israel is a great illustration of that fact. I think this resolution and the next memorandum of understanding, which we are expecting any day now, are more indications that, regardless of party, regardless of personalities, the U.S.-Israel alliance is serious business and a major foreign policy concern.

Those that try to denigrate Israel overlook the fact that Israel is the only democracy in the Middle East and overlook the fact that we have no better ally in the United States than the people of Israel.

I am glad to support this measure. I urge all Members to do the same. Again, the U.S.-Israel alliance is serious business, a major foreign policy concern, and the right thing to do, not only for Israel but for the United States as well. So I support this measure, and I urge all our colleagues to do the same.

I yield back the balance of my time.

Mr. ROYCE. I yield myself such time as I may consume.

Mr. Speaker, as this resolution notes, Israel faces a growing number of threats, and I think I would just speak for a moment about the nature of those threats. I appreciate Representative ILEANA ROS-LEHTINEN bringing this resolution before us.

Representative ELIOT ENGEL and I had a rather unique opportunity of seeing how these threats keep evolving. We were near the border in Israel and had an invitation on the Gaza border to go into one of these tunnels that had been discovered. Imagine the shock when we found out the intentions of why this tunnel was dug. It ended up coming up underneath an elementary school.

Now, imagine for a minute the situation Israel is in when you have an adversary, Hamas in this case, who wishes to tunnel underneath an elementary school in order to capture children, take them back into Gaza, and force the IDF, as you and I knew they would do, to fight block by block by block to try to free those children. That was the strategy. Now, luckily the tunnels were discovered before they could carry this out.

I was in Israel also in 2006, back during the second Lebanon war. The Hezbollah rockets came down across northern Israel every day. And in Haifa, every day there were victims that were brought into that trauma hospital.

Back then, Hezbollah had a collection of about 10,000 rockets and missiles. That is what they had left in the inventory. They had shot off about half of their inventory. And in each of those, there were probably 90,000 ball bearings. And when they shot those rockets, they aimed at the city center in Haifa.

Today is 10 years later. Hezbollah, as Mr. YOHO shared with you, has a nasty collection today of over 100,000 of these rockets and missiles. Now, if you were to take the United States out of the equation with respect to NATO, and you were to take a look at the NATO arsenal without us in it, Hezbollah, which is now equipped by Iran, has a larger number of weapons, rockets and missiles, than all of NATO combined without us.

Included in that class are 700 long-range, high-payload rockets that have now been provided to Hezbollah, and these new rockets that carry these huge payloads are capable of taking out a city block and just creating havoc.

And while the threat from Hezbollah is bad, let's talk about the threat from its sponsor for a minute. Let's reflect on the threat from Iran itself. If you wonder whether Iran intends what they say, think about their continued aggression in the region, and think about their testing of ballistic missiles capable of carrying nuclear warheads.

In case there is any mistake about how we might interpret it, they put on the side of these missiles, in Arabic, in Farsi, and in Hebrew, the words, ''Israel must be wiped out.'' That is the action of the Iran Revolutionary Guard Corps. That is what it puts on its missiles.

Of course, under the administration's Iran deal, Tehran will keep much of its nuclear infrastructure and continue to develop advanced centrifuges faster and faster. They can continue to work on this, thus gaining the ability to produce nuclear fuel on an industrial scale. The ayatollah won't even have to cheat to be just steps away from a nuclear weapon 10 years from now when that agreement is phased out and expires. And that is about the same time that the next MOU will expire.

So for those who are wondering why we are passionate about this memorandum of understanding with Israel, it is because we have seen the threats. Mr. ELIOT ENGEL and I, in our trips to Israel to the border, have seen those threats.

□ 1530

Given that, and given that Israel faces, not just from the proxies like Iran, not just from Hamas that are funded, but also from Iran itself Israel faces this threat, we need to ensure that the security package currently being negotiated is as robust as possible. I urge my colleagues to support this resolution.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. COLLINS of Georgia). The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, H. Res. 729.

The question was taken.

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

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

The yeas and nays were ordered.

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

SUPPORTING HUMAN RIGHTS, DEMOCRACY, AND THE RULE OF LAW IN CAMBODIA

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 728) supporting human rights, democracy, and the rule of law in Cambodia, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 728

Whereas since the Paris Peace Accords in 1991, Cambodia has undergone a gradual, partial, and unsteady transition to democracy, including elections and multiparty government;

Whereas Prime Minister Hun Sen has been in power in Cambodia uninterrupted since 1985 and is the longest-serving leader in Southeast Asia;

Whereas Freedom House rated Cambodia as ''Not Free'' in its ''Freedom in the World 2015'' report, noting that ''political opposition is restricted'', ''harassment or threats against opposition supporters are not uncommon'', ''freedom of speech is not fully protected'', and ''the government's tolerance for freedoms of association and assembly has declined in recent years'';

Whereas Cambodia held a general election on July 28, 2013, though widespread reports of irregularities largely related to the voter lists bring into question the integrity of the election;

Whereas a coalition of election monitors, including the National Democratic Institute (NDI), Transparency International Cambodia, and other domestic and international organizations, in a joint report on the 2013 election found ''significant challenges that undermined the credibility of the process'';

Whereas Transparency International Cambodia, a nonprofit, nonpartisan organization, conducted a survey during the 2013 election that found at 60 percent of polling stations, citizens with proper identification were not allowed to vote;

Whereas the Cambodian National Election Committee (NEC) was accused of lack of independence and pro-government bias during its oversight of the 2013 election;

Whereas the composition of the NEC was changed after the 2013 election to include equal membership from both political parties, and the NEC's continued independence is essential to free and fair elections;

Whereas the United States Congress has taken steps to protect democracy and human rights in Cambodia, making certain 2014 foreign aid funds intended to Cambodia conditioned upon the Government of Cambodia conducting an independent and credible investigation into the irregularities associated with the July 28, 2013, parliamentary elections and reforming the NEC or when all parties have agreed to join the National Assembly to conduct business;

Whereas United States aid to Cambodia has funded work in areas including development assistance, civil society, global health, and the Khmer Rouge Tribunal, largely via nongovernmental organizations (NGOs);

Whereas both NDI and the International Republican Institute (IRI) operate in Cambodia, engaging local partners and building capacity for civil society, democracy, and good governance;

Whereas the Government of Cambodia has acted to restrict the right to freely assemble and protest, including the following instances;

Whereas, on January 3, 2014, Cambodian security forces violently cracked down on protests of garment workers, killing 4 people in Phnom Penh;

Whereas, on March 31, 2014, Cambodian police beat protestors with batons and clubs during a protest calling for a license for the independent Beehive Radio to establish a television channel;

Whereas in August 2015, the Government of Cambodia passed the ''Law on Associations and Non-Governmental Organizations'' which threatens to restrict the development of civil society by requiring registration and government approval of both domestic and international NGOs;

Whereas, on October 26, 2015, 2 opposition lawmakers, including dual United States citizen Nhay Chamreoun, were violently attacked by pro-government protestors in front of the National Assembly;

Whereas, on November 16, 2015, the standing committee of the National Assembly expelled leader of the parliamentary opposition and President of the Cambodian National Rescue Party (CNRP) Sam Rainsy and revoked his parliamentary immunity;

Whereas Mr. Rainsy is the subject of a Government of Cambodia investigation of 7-year-old defamation charges against him which is widely believed to be politically motivated;

Whereas the United States Embassy in Cambodia has publicly called on the Government of Cambodia to revoke the arrest warrant issued against Mr. Rainsy, allow all opposition lawmakers to ''return to Cambodia without fear of arrest and persecution'', and ''to take immediate steps to guarantee a political space free from threats or intimidation in Cambodia'';

Whereas political advocate and anti-corruption activist Kem Ley was shot and killed in Phnom Penh on July 10, 2016;

Whereas the Government of Cambodia continues efforts to prosecute CNRP leaders on politically-motivated charges, bringing Mr. Sokha's case to trial in Phnom Penh; and

Whereas national elections in 2018 will be closely watched to ensure openness and fairness, and to monitor whether all political parties and civil society are allowed to freely participate: Now, therefore, be it

Resolved, That the House of Representatives—

(1) reaffirms the commitment of the United States to promoting democracy, human rights, and the rule of law in Cambodia;

(2) condemns all forms of political violence in Cambodia and urges the cessation of ongoing human rights violations;

(3) calls on the Government of Cambodia to respect freedom of the press and the rights of its citizens to freely assemble, protest, and speak out against the government;

(4) supports electoral reform efforts in Cambodia and free and fair elections in 2018 monitored by international observers; and

(5) urges Prime Minister Hun Sen and the Cambodian People's Party to—

(A) end all harassment and intimidation of Cambodia's opposition;

(B) drop all politically motivated charges against opposition lawmakers;

(C) allow them to return to Cambodia and freely participate in the political process; and

(D) foster an environment where democracy can thrive and flourish.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD.

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

There was no objection.

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

Mr. Speaker, I am rising here in strong support for H. Res. 728, supporting human rights and democracy and the rule of law in Cambodia.

We have all seen the consequences of land grabbing and the destruction of human liberty in that country. I want to thank the gentleman from California (Mr. LOWENTHAL), my colleague, for introducing this resolution. I want to thank him for his advocacy for the people of Cambodia.

Mr. Speaker, since Cambodia held its deeply flawed elections in 2013, we have seen significant attacks on those Cambodians peacefully opposing their government. Hun Sen's thuggish regime continues to crack down on the political opposition and on activists, and they continue to arrest and beat those who point out violations of freedom of speech, violations, frankly, of a stolen election.

As noted in this resolution, Freedom House's most recent report card rated Cambodia as not free, noting restrictions on and the harassment of the government's political opposition. And that is putting it mildly. Last year opposition lawmaker and American citizen Nhay Chamroeun was severely and brutally attacked by plainclothes bodyguards who repeatedly kicked and stomped him. He was hospitalized for months.

We have all seen the pictures of opposition figures who have been beaten and stomped and put in the hospital there. Several months later, Kem Ley, a popular Cambodian political commentator, was murdered in broad daylight for his outspoken protest of the regime. So much for freedom of speech in Cambodia.

Then just last week, Hun Sen took yet another step to consolidate his grip on power, to make it impossible for people to run against him. He sentenced the de facto leader of the Cambodia National Rescue Party, Kem Sokha, to 5 months in prison on the spurious charge of refusing to appear for questioning in a politically motivated case that was brought against him. Although his sentence is short, the repercussions are dire, as convicted criminals are prohibited from holding office; and that, again, was what this was about: intimidation and trying to

force a system where the opposition party leader already in exile would then be in a position where they couldn't run somebody against Hun Sen.

Mr. Speaker, these attacks on the opposition must stop. This systemic persecution of the government's opposition completely undermines the legitimacy of upcoming local elections as well as the country's 2018 national elections.

Without the full and free participation of the CNRP, future elections will be deeply flawed and cannot be accepted. Hun Sen's continued attack on his political opponents is something we cannot accept, and for the sake of the Cambodian people, I urge my colleagues to adopt this resolution.

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

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

I also rise in support of this resolution.

Let me, first of all, thank Mr. LOWENTHAL, a valued member of the Committee on Foreign Affairs, for his hard work on this measure; and let me just thank the chairman of the committee, as well, for always cooperating with us on bipartisan resolutions and things that are for the good of the country. That is the way we try to conduct ourselves here.

Mr. Speaker, for the last three decades, the people of Cambodia have hoped to see their country move toward a freer, more democratic system, but that progress has been halting and the results are incomplete. Hun Sen, that country's Prime Minister, has held on to power since 1985, making him currently the longest serving leader in Southeast Asia. Though elections are scheduled for 2018, it seems likely that the opposition party will endure the same sort of intimidation and harassment that it has for years.

This lack of progress and accountability on the part of the Hun Sen government has meant that Cambodia remains one of the poorest and most corrupt countries in the region. Cambodia leans on China for imports and economic assistance and has adopted some of China's most draconian laws and practices as well.

Despite these obstacles, the people of Cambodia remain remarkably resilient and entrepreneurial. For years the United States has provided development assistance to improve Cambodian human rights protections, bolster civil society, and improve health, education, and opportunity. These investments are paying dividends in the form of a new generation of bright, thoughtful Cambodian leaders who seek more for themselves and their fellow citizens. These young leaders, along with many reformers and activists, deserve to have their voices heard.

I have been to Cambodia a few times, and it is especially poignant when you think of the terrible events, the killings there decades ago—practically genocide—it is just intolerable, unthinkable, and unacceptable that Cambodia would still have these difficulties with all the things that the people of Cambodia have suffered.

This resolution calls on the Government of Cambodia to push ahead with real and meaningful reform that will advance democracy. It calls for changes to the electoral system that would allow for truly free and fair elections. It calls on the Hun Sen government to act now so that the 2018 elections are transparent and credible, and it calls for the end of politically motivated harassment and violence against the people of Cambodia.

Mr. Speaker, the people of Cambodia want and deserve real democracy for their country. They want to chart the course for their own future and live the lives they choose for themselves. This measure sends a strong message that the United States stands with them and wants to see them realize the democratic aspirations.

Mr. Speaker, I am glad to support this measure.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. LOWENTHAL), a valued member of our Committee on Foreign Affairs and the author of this resolution.

Mr. LOWENTHAL. Mr. Speaker, I thank Ranking Member ENGEL for yielding.

First, I want to acknowledge the great work and the collaboration from my colleagues on both sides of the aisle to bring this resolution to the floor today. Chairman ROYCE has long been a champion on Cambodian issues, and this resolution would not have been possible without his support.

I would also like to thank the Republican lead on this resolution, the chairman of the Subcommittee on Asia and the Pacific, Chairman MATT SALMON; and also I would like to thank the gentleman from Ohio (Mr. CHABOT), who joined with me in founding the Congressional Cambodia Caucus. I also, obviously, want to thank Ranking Member ENGEL for his support of the resolution.

Recently, the Cambodian Government, as has been pointed out, presided over by Prime Minister Hun Sen for the past 31 years, has severely cracked down on political opposition and all forms of dissent in Cambodia.

As we know, national elections in Cambodia in 2013 prolonged Hun Sen's grip on power, but they were marred by allegations of voting irregularities. After the election, Hun Sen's party and the opposition party agreed to a series of electoral reforms and power-sharing compromises.

However, since that time, the Cambodian Government has undertaken a comprehensive campaign to undermine the political opposition. Last year, the Cambodian Government revived a 7-year-old defamation charge against the opposition leader, Mr. Sam Rainsy, expelling him from the Parliament and forcing him into self-imposed exile.

The deputy leader, Kem Sokha, who is acting as the opposition's leader, has been under effective house arrest at the party's headquarters in Phnom Penh, where he was facing charges that are similarly politically motivated, and recently he was convicted in court and is now serving time in jail.

When I spoke to the deputy leader, he told me that he not only fears this arrest by the government, which has just taken place, but he truly fears for his life. And his fears are well founded. In July, as was pointed out, prominent political activist and outspoken critic of the government Kem Ley was brutally murdered in broad daylight in Phnom Penh.

The passage of this resolution could not come at a more urgent time. The Cambodian Government has renewed its efforts to seek out, to harass, and to intimidate the leaders of the opposition. As I pointed out, last week Kem Sokha was tried and sentenced to 5 months in jail. In the lead-up to the trial, the government deployed security forces in the vicinity of the opposition party's headquarters.

Hun Sen's strategy could not be more clear: intimidate and threaten arrest to silence the opposition in advance of local elections next year and national elections the following year.

As long as these politically motivated charges remain outstanding, the current political climate in Cambodia is not one that will allow for free and fair elections. That is why it is so important for us to pass this resolution and show that the United States stands with the people of Cambodia. We will send an important signal to the Cambodian Government that political violence of any kind will not be tolerated and that the Cambodian people must be able to enjoy the freedom to choose their own leaders. Only under these conditions can elections in Cambodia be considered free and fair by the international community.

Again, I want to thank all the Members who worked so closely with me to bring this resolution to the floor. I urge passage of this resolution to send a strong message that the United States supports human rights and supports democracy and the rule of law in Cambodia.

Mr. ENGEL. Mr. Speaker, I yield myself the balance of my time.

Let me again repeat: we all have high hopes for the future of democracy in Cambodia. We want to see the people there exercise real rights and determine the future for their country. We know that real democracy is the key to helping countries prosper. Real democracy makes governments more transparent and accountable. When citizens are allowed to fully participate in their political systems, governments become more responsive and do a better job at providing services and opportunity; countries become better equipped as

partners on the global stage and centers of regional stability.

□ 1545

We know that Cambodia has this potential just waiting to be unleashed. So today, with this resolution, we are saying that we look forward to the day when democracy in Cambodia is allowed to flourish, and we hope that day comes soon. It is important to focus on Cambodia. We want to see that country make a change for the benefit of all its people.

So I support this measure, and I urge my colleagues to do the same.

Mr. Speaker, I yield back the balance of my time.

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

Mr. Speaker, as I mentioned in my opening remarks, Hun Sen and the Cambodian People's Party took yet another authoritarian step last week when they arrested and tried opposition leader Kem Sokha. In their attempts to consolidate power, they have utterly obliterated the opposition.

Mr. Speaker, the long-suffering people of Cambodia deserve the opportunity to elect a government of their choosing. By attempting to disqualify and harassing all the political opposition, Hun Sen is denying the people this opportunity.

By passing this resolution, Congress is sending a message to Hun Sen that the United States is watching and will not accept his brutality. It will send an important signal of support, I believe, to all Cambodians who wish to live under a government that respects the rights of the Cambodian people.

I urge passage of the resolution.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the resolution, H. Res. 728, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

STATE SPONSORS OF TERRORISM REVIEW ENHANCEMENT ACT

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5484) to modify authorities that provide for rescission of determinations of countries as state sponsors of terrorism, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5484

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''State Sponsors of Terrorism Review Enhancement Act''.

SEC. 2. MODIFICATIONS OF AUTHORITIES THAT PROVIDE FOR RESCISSION OF DETERMINATIONS OF COUNTRIES AS STATE SPONSORS OF TERRORISM.

(a) FOREIGN ASSISTANCE ACT OF 1961.—Section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371) is amended—

(1) in subsection (c)(2)—

(A) in the matter preceding subparagraph (A), by striking ''45 days'' and inserting ''90 days''; and

(B) in subparagraph (A), by striking ''6-month period'' and inserting ''24-month period'';

(2) by redesignating subsection (d) as subsection (e);

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

''(d) DISAPPROVAL OF RESCISSION.—No rescission under subsection (c)(2) of a determination under subsection (a) with respect to the government of a country may be made if the Congress, within 90 days after receipt of a report under subsection (c)(2), enacts a joint resolution described in subsection (f)(2) of section 40 of the Arms Export Control Act with respect to a rescission under subsection (f)(1) of such section of a determination under subsection (d) of such section with respect to the government of such country.'';

(4) in subsection (e) (as redesignated), in the matter preceding paragraph (1), by striking ''may be'' and inserting ''may, on a case-by-case basis, be''; and

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

''(f) NOTIFICATION AND BRIEFING.—Not later than—

''(1) ten days after initiating a review of the activities of the government of the country concerned within the 24-month period referred to in subsection (c)(2)(A), the President, acting through the Secretary of State, shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of such initiation; and

''(2) 20 days after the notification described in paragraph (1), the President, acting through the Secretary of State, shall brief such committees on the status of such review.''.

(b) ARMS EXPORT CONTROL ACT.—Section 40 of the Arms Export Control Act (22 U.S.C. 2780) is amended—

(1) in subsection (f)—

(A) in paragraph (1)(B)—

(i) in the matter preceding clause (i), by striking ''45 days'' and inserting ''90 days''; and

(ii) in clause (i), by striking ''6-month period'' and inserting ''24-month period''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''45 days'' and inserting ''90 days''; and

(ii) in subparagraph (B), by striking ''45-day period'' and inserting ''90-day period'';

(2) in subsection (g), in the matter preceding paragraph (1), by striking ''may waive'' and inserting ''may, on a case-by-case basis, waive'';

(3) by redesignating subsection (l) as subsection (m); and

(4) by inserting after subsection (k) the following new subsection:

''(l) NOTIFICATION AND BRIEFING.—Not later than—

''(1) ten days after initiating a review of the activities of the government of the country concerned within the 24-month period referred to in subsection (f)(1)(B)(i), the President, acting through the Secretary of State, shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of such initiation; and

''(2) 20 days after the notification described in paragraph (1), the President, acting through the Secretary of State, shall brief such committees on the status of such review.''.

(c) EXPORT ADMINISTRATION ACT OF 1979.—

(1) IN GENERAL.—Section 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)), as continued in effect under the International Emergency Economic Powers Act, is amended—

(A) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by striking ''45 days'' and inserting ''90 days''; and

(ii) in clause (i), by striking ''6-month period'' and inserting ''24-month period'';

(B) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(C) by inserting after paragraph (4) the following new paragraphs:

''(5) DISAPPROVAL OF RESCISSION.—No rescission under paragraph (4)(B) of a determination under paragraph (1)(A) with respect to the government of a country may be made if the Congress, within 90 days after receipt of a report under paragraph (4)(B), enacts a joint resolution described in subsection (f)(2) of section 40 of the Arms Export Control Act with respect to a rescission under subsection (f)(1) of such section of a determination under subsection (d) of such section with respect to the government of such country.

''(6) NOTIFICATION AND BRIEFING.—Not later than—

''(A) ten days after initiating a review of the activities of the government of the country concerned within the 24-month period referred to in paragraph (4)(B)(i), the President, acting through the Secretary and the Secretary of State, shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate of such initiation; and

''(B) 20 days after the notification described in paragraph (1), the President, acting through the Secretary and the Secretary of State, shall brief such committees on the status of such review.''.

(2) REGULATIONS.—The President shall amend the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations, to the extent necessary and appropriate to carry out the amendment made by paragraph (1).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the measure.

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

There was no objection.

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

Mr. Speaker, I want to thank the gentleman from Florida (Mr. YOHO), for his leadership in authoring this critical legislation.

The designation of a foreign government as a state sponsor of terrorism is one of our government's most powerful statements. In addition to imposing sanctions and other restrictions, the designation itself earns a state pariah status internationally, and that is deserved. After all, these are countries

whose governments back the killing of innocents as a matter of policy.

To be added to the list, the Secretary of State must determine that the government of such country has repeatedly provided support for acts of international terrorism. The designation then triggers unilateral sanctions by the United States. These sanctions include a ban on exports of weapons. It also includes limits on financing and economic assistance and restrictions on exports that can be used by that country to enhance its military capability or, of course, its ability to support terrorism.

These are important tools. They are powerful tools. Yet, under current law, to delist a state sponsor of terrorism, the administration only needs to certify that the country has refrained from supporting terrorism for a mere 6 months.

Administrations from both parties have abused this process. In 2008, North Korea's designation was rescinded following commitments it made to dismantle its nuclear weapons program. North Korea, of course, was delisted prematurely, but it kept its nuclear program, as evidenced by its fifth nuclear test last week.

Likewise, Cuba continues to harbor terrorists, both foreign and domestic terrorists. It continues to meddle in Venezuela. It continues its support for Iran's designs on Latin America. Just last month, Cuba hosted the Iranian foreign minister, as Tehran seeks to expand its presence in the hemisphere.

This legislation is an important check against administration overreach, increasing the period of time a country must refrain from supporting terrorism from 6 months to 2 years before it is eligible for being delisted. The bill also increases the period of time that Congress has to review any such proposed action by the President from 45 days to 90 days. So the bill strengthens congressional oversight of the process.

I strongly urge my colleagues to support the legislation authored by Mr. TED YOHO. I think it is critical.

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

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

Mr. Speaker, I rise in support of this measure. I want to thank Chairman ROYCE and Mr. YOHO of Florida for their hard work on the bill.

Mr. Speaker, under current law, there are only two ways off the State Sponsors of Terrorism list. The first is a fundamental change in the leadership and policies of a country's government. The other is if the President certifies to Congress that a government has not provided any support for international terrorism for at least 6 months, and that the country has provided assurances that it will not support international terrorism in the future. This legislation would stretch that 6-month period to 2 years. It would also double the length of time Congress has to review such a certification, from 45 days to 90 days.

Now, Mr. Speaker, I don't think we are going to find ourselves in a situation in which any of the countries currently on that list would need to be rushed off, particularly Syria and Iran. But our job as legislators is not just to look at what is in front of us as we draft a law, but to consider what unintended consequences we might face down the road.

As I said when we marked up this bill in June at the committee, I do think we need to carefully consider the implications of extending the waiting period so dramatically. No one wants a terrorist state to come off the list before circumstances justify, but unlikely as it may seem today, we could encounter diplomatic opportunities where the flexibility to act quickly might be in our own national security interests. We just can't envision what kind of challenges we will face years down the road.

So I support the measure, but I do have some trepidation that the 2-year waiting period could potentially hamstring our government's ability to respond strategically to rapidly changing events. I hope that, as we monitor this, Members will keep an open mind with respect to the waiting period as the legislative process goes forward. Again, I support the legislation.

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

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), the chairman emeritus of the Foreign Affairs Committee.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the chairman and Dr. YOHO for putting forth this wonderful bill. The State Sponsors of Terrorism Review Enhancement Act is the work of our Florida colleague, TED YOHO. I thank Dr. YOHO for his leadership on this bill, as well as Chairman ROYCE and Ranking Member ENGEL for their leadership in getting it to the House floor.

This bill is an important and necessary legislative fix to a broken process: the manner in which nations are delisted as state sponsors of terrorism.

Over the years, through three different statutes, Congress developed the State Sponsors of Terrorism list and the consequences for being on the list. The three laws—the Foreign Assistance Act, the Arms Export Control Act, and the Export Administration Act—work to prevent state sponsors of terrorism from receiving assistance, goods, and technology that could help support terrorism.

In past decades, administrations from both sides of the aisle have mistakenly and prematurely delisted states, for example, including taking North Korea off the list in 2008, as the chairman pointed out, and removing Cuba, as the chairman pointed out, last year. North Korea has armed and supported organizations like Hezbollah and Hamas and has reportedly assisted the regime in Syria and in Iran in developing their nuclear weapons program.

Other examples of North Korea's provocations and destructive behavior are prolific, including continued illegal nuclear weapons tests like the one that we just saw last week; missiles launches; cyberattacks, sinking a South Korean naval vessel; and shipping weapons systems likes those that were intercepted out of Cuba in the year 2013.

Cuba has links to North Korea and state sponsors of terrorism Iran and Syria. It provides safe haven to terror groups like the Colombian FARC and Spanish ETA, and harbors fugitives, as the chairman pointed out, from American justice, like convicted cop killer JoAnne Chesimard.

As we saw in the cases of Cuba and North Korea, the process in which Congress is able to weigh in on whether a nation should or should not be delisted as a state sponsor of terrorism is a broken process, and only one of three laws provides a legislative mechanism to stop it. Only one.

This bill aims to fix that, extending the amount of time that Congress has to review an administration's proposal to delist a country and providing Congress with a mechanism, under each law, to block its removal by enacting a joint resolution of disapproval.

It is a simple legislative fix, Mr. Speaker, that allows Congress to fulfill its oversight responsibility, determine whether these countries are still supporting terrorism, and prevent them from being delisted should there not be enough evidence for their removal.

Congress needs to have the ability that it always had and that we thought it had to weigh in on attempts to remove countries from the list and to ensure that countries that are still supporting terrorism remain sanctioned, restricted from any material that they might be receiving that could aid in their terrorism, and remain on the State Sponsors of Terrorism list where they belong.

So it makes a change to the law, the review process that should have been made a long time ago. I thank Dr. Yoho for doing this. It allows Congress to execute its proper oversight responsibilities and prevent the executive branch from delisting countries as state sponsors of terrorism prematurely.

We have seen in cases of both North Korea and Cuba, delisted by Republican and Democratic administrations respectively, that giving these nations these concessions only emboldens the rogue regimes and undermines our national security.

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. YOHO), the author of this important antiterrorism legislation.

Mr. YOHO. Mr. Speaker, I thank Chairman ROYCE, Ranking Member ENGEL, and my colleague, Ms. ROS-LEHTINEN, for the kind words and for

pointing out that, just 2 years ago, Cuba was caught shipping armaments to North Korea.

I stand in support, obviously, of the bill, H.R. 5484, the State Sponsors of Terrorism Review Enhancement Act. This designation of a foreign government, as Mr. ROYCE has already pointed out, as a state sponsor of terrorism, is one of the United States' most powerful statements as a nation that we can stamp on another country.

Besides imposing sanctions, the stamp of state sponsor of terrorism labels a state untouchable to the international community. This pariah status, as pointed out, is much deserved, as these are states that support the killing of innocent people as a matter of policy.

However, under current law, in order for a state to be delisted, the President of the United States only needs to certify that the country being considered for delisting has not engaged in supporting terrorism for a paltry 6 months. As Ms. ROS-LEHTINEN pointed out, just 2 years ago, Cuba sent missiles to North Korea.

Considering the heinous acts of violence these countries have supported in the past, we should not be allowing them to be delisted for political purposes or whatever reasons after only 6 months. This increases the oversight of one of Congress' oldest committees, the Foreign Affairs Committee, and adds another layer of protection not just for America, but for the world community.

□ 1600

To address this, my legislation will quadruple the time a designated country must refrain from sponsoring terrorism before the President can remove it from the sponsor list from 6 months to 24 months; it increases congressional oversight by doubling the time Congress has to review the President's proposed removal from 45 to 90 days; it establishes a uniform process through which Congress can disapprove of the President's decision to remove a country from the list; and it requires the administration to notify and brief Congress—and I think this is probably one of the most important things—upon initiating a review of a designated country's potential removal from that list.

This legislation will assert congressional scrutiny and oversight and, hopefully, bring to an end politically motivated delistings. Successive administrations, as was pointed out, both Republicans and Democrats alike, delisted countries based on their Precedency's legacy rather than the facts. H.R. 5484 will stop absurd delistings like that of North Korea in 2008.

As we have already talked about, North Korea was delisted in exchange for their promise of dismantling their nuclear program. However, 8 years and five nuclear tests later, as the gentleman pointed out, they remain off the list and threatening America with their videos and their acts of irresponsibility, North Korea, supporting terrorism abroad.

By increasing the amount of time for a state to not be engaged in terrorism and increasing congressional oversight and scrutiny, H.R. 5484, hopefully, will not allow mistakes such as the delisting of North Korea to take place.

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

I thank the chairman again, and thank Mr. YOHO for his hard work and commitment on this.

Obviously, the handful of countries on the State Sponsors of Terrorism list are some of the worst actors in the world: Sudan, Syria, and Iran. We need policies that are tough, and any changes to that list must be preceded by real, permanent changes in the way those governments do business. And, of course, I believe Congress has an important oversight role to play on such matters.

I have voiced my concerns about parts of this legislation, namely, that multiplying the waiting period by a factor of four might have unintended consequences. Perhaps it should have been a little less than that. But I trust that if we do run into trouble down the road, we will do whatever it takes to make sure that our government has the tools needed to act in America's best interests.

So I support this measure and, again, I thank Mr. YOHO for his hard work.

Mr. Speaker, I yield back the balance of my time.

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

Mr. Speaker, 6 months to get off of that list for a terrorist country, that is an odd situation. We should not be giving terrorist regimes a clean bill of health in such a short time in that, by definition, these are regimes that kill innocents as a matter of policy. That is what terrorism is. And given that this process has been abused, in the case of North Korea, what is to prevent another White House from removing countries from the list to advance their own flawed agendas?

Congress, I think, has a responsibility to prevent that from happening; and, ultimately, these regimes must understand that the only way to be delisted is to actually change their behavior and discontinue their support for terrorism, not simply press for their status to be reversed as a condition of a separate negotiation. That is what North Korea did some years ago. That is what concerns us here.

Again, I would like to recognize Mr. YOHO for his excellent work on this legislation, and I urge its adoption.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 5484.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

WEST LOS ANGELES LEASING ACT OF 2016

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5936) to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into agreements with certain health care providers to furnish health care to veterans, to authorize the Secretary to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, to make certain improvements to the enhanced-use lease authority of the Department, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5936

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''West Los Angeles Leasing Act of 2016''.

SEC. 2. AUTHORITY TO ENTER INTO CERTAIN LEASES AT THE DEPARTMENT OF VETERANS AFFAIRS WEST LOS ANGELES CAMPUS.

(a) IN GENERAL.—The Secretary of Veterans Affairs may carry out leases described in subsection (b) at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California (hereinafter in this section referred to as the ''Campus'').

(b) LEASES DESCRIBED.—Leases described in this subsection are the following:

(1) Any enhanced-use lease of real property under subchapter V of chapter 81 of title 38, United States Code, for purposes of providing supportive housing, as that term is defined in section 8161(3) of such title, that principally benefit veterans and their families.

(2) Any lease of real property for a term not to exceed 50 years to a third party to provide services that principally benefit veterans and their families and that are limited to one or more of the following purposes:

(A) The promotion of health and wellness, including nutrition and spiritual wellness.

(B) Education.

(C) Vocational training, skills building, or other training related to employment.

(D) Peer activities, socialization, or physical recreation.

(E) Assistance with legal issues and Federal benefits.

(F) Volunteerism.

(G) Family support services, including child care.

(H) Transportation.

(I) Services in support of one or more of the purposes specified in subparagraphs (A) through (H).

(3) A lease of real property for a term not to exceed 10 years to The Regents of the University of California, a corporation organized under the laws of the State of California, on behalf of its University of California, Los Angeles (UCLA) campus (hereinafter in this section referred to as ''The Regents''), if—

(A) the lease is consistent with the master plan described in subsection (g);

(B) the provision of services to veterans is the predominant focus of the activities of The Regents at the Campus during the term of the lease;

(C) The Regents expressly agrees to provide, during the term of the lease and to an extent and in a manner that the Secretary considers appropriate, additional services and support (for which The Regents is not compensated by the Secretary or through an existing medical affiliation agreement) that—

(i) principally benefit veterans and their families, including veterans that are severely disabled, women, aging, or homeless; and

(ii) may consist of activities relating to the medical, clinical, therapeutic, dietary, rehabilitative, legal, mental, spiritual, physical, recreational, research, and counseling needs of veterans and their families or any of the purposes specified in any of subparagraphs (A) through (I) of paragraph (2); and

(D) The Regents maintains records documenting the value of the additional services and support that The Regents provides pursuant to subparagraph (C) for the duration of the lease and makes such records available to the Secretary.

(c) LIMITATION ON LAND-SHARING AGREEMENTS.—The Secretary may not carry out any land-sharing agreement pursuant to section 8153 of title 38, United States Code, at the Campus unless such agreement—

(1) provides additional health-care resources to the Campus; and

(2) benefits veterans and their families other than from the generation of revenue for the Department of Veterans Affairs.

(d) REVENUES FROM LEASES AT THE CAMPUS.—Any funds received by the Secretary under a lease described in subsection (b) shall be credited to the applicable Department medical facilities account and shall be available, without fiscal year limitation and without further appropriation, exclusively for the renovation and maintenance of the land and facilities at the Campus.

(e) EASEMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law (other than Federal laws relating to environmental and historic preservation), pursuant to section 8124 of title 38, United States Code, the Secretary may grant easements or rights-of-way on, above, or under lands at the Campus to—

(A) any local or regional public transportation authority to access, construct, use, operate, maintain, repair, or reconstruct public mass transit facilities, including, fixed guideway facilities and transportation centers; and

(B) the State of California, County of Los Angeles, City of Los Angeles, or any agency or political subdivision thereof, or any public utility company (including any company providing electricity, gas, water, sewage, or telecommunication services to the public) for the purpose of providing such public utilities.

(2) IMPROVEMENTS.—Any improvements proposed pursuant to an easement or right-of-way authorized under paragraph (1) shall be subject to such terms and conditions as the Secretary considers appropriate.

(3) TERMINATION.—Any easement or right-of-way authorized under paragraph (1) shall be terminated upon the abandonment or nonuse of the easement or right-of-way and all right, title, and interest in the land covered by the easement or right-of-way shall revert to the United States.

(f) PROHIBITION ON SALE OF PROPERTY.—Notwithstanding section 8164 of title 38, United States Code, the Secretary may not sell or otherwise convey to a third party fee simple title to any real property or improvements to real property made at the Campus.

(g) CONSISTENCY WITH MASTER PLAN.—The Secretary shall ensure that each lease carried out under this section is consistent with the draft master plan approved by the Secretary on January 28, 2016, or successor master plans.

(h) COMPLIANCE WITH CERTAIN LAWS.—

(1) LAWS RELATING TO LEASES AND LAND USE.—If the Inspector General of the Department of Veterans Affairs determines, as part of an audit report or evaluation conducted by the Inspector General, that the Department is not in compliance with all Federal laws relating to leases and land use at the Campus, or that significant mismanagement has occurred with respect to leases or land use at the Campus, the Secretary may not enter into any lease or land-sharing agreement at the Campus, or renew any such lease or land-sharing agreement that is not in compliance with such laws, until the Secretary certifies to the Committees on Veterans' Affairs of the Senate and House of Representatives, the Committees on Appropriations of the Senate and House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located that all recommendations included in the audit report or evaluation have been implemented.

(2) COMPLIANCE OF PARTICULAR LEASES.—Except as otherwise expressly provided by this section, no lease may be entered into or renewed under this section unless the lease complies with chapter 33 of title 41, United States Code, and all Federal laws relating to environmental and historic preservation.

(i) VETERANS AND COMMUNITY OVERSIGHT AND ENGAGEMENT BOARD.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a Veterans and Community Oversight and Engagement Board (in this subsection referred to as the ''Board'') for the Campus to coordinate locally with the Department of Veterans Affairs to—

(A) identify the goals of the community and veteran partnership;

(B) provide advice and recommendations to the Secretary to improve services and outcomes for veterans, members of the Armed Forces, and the families of such veterans and members; and

(C) provide advice and recommendations on the implementation of the draft master plan approved by the Secretary on January 28, 2016, and on the creation and implementation of any successor master plans.

(2) MEMBERS.—The Board shall be comprised of a number of members that the Secretary determines appropriate, of which not less than 50 percent shall be veterans. The nonveteran members shall be family members of veterans, veteran advocates, service providers, real estate professionals familiar with housing development projects, or stakeholders.

(3) COMMUNITY INPUT.— In carrying out paragraph (1), the Board shall—

(A) provide the community opportunities to collaborate and communicate with the Board, including by conducting public forums on the Campus; and

(B) focus on local issues regarding the Department that are identified by the community, including with respect to health care, implementation of the draft master plan and any subsequent plans, benefits, and memorial services at the Campus.

(j) NOTIFICATION AND REPORTS.—

(1) CONGRESSIONAL NOTIFICATION.—With respect to each lease or land-sharing agreement intended to be entered into or renewed at the Campus, the Secretary shall notify the Committees on Veterans' Affairs of the Senate and House of Representatives, the Committees on Appropriations of the Senate and House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located of the intent of the Secretary to enter into or renew the lease or land-sharing agreement not later than 45 days before entering into or renewing the lease or land-sharing agreement.

(2) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives, the Committees on Appropriations of the Senate and House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located an annual report evaluating all leases and land-sharing agreements carried out at the Campus, including—

(A) an evaluation of the management of the revenue generated by the leases; and

(B) the records described in subsection (b)(3)(D).

(3) INSPECTOR GENERAL REPORT.—

(A) IN GENERAL.—Not later than each of two years and five years after the date of the enactment of this Act, and as determined necessary by the Inspector General of the Department of Veterans Affairs thereafter, the Inspector General shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives and the Committees on Appropriations of the Senate and House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located a report on all leases carried out at the Campus and the management by the Department of the use of land at the Campus, including an assessment of the efforts of the Department to implement the master plan described in subsection (g) with respect to the Campus.

(B) CONSIDERATION OF ANNUAL REPORT.—In preparing each report required by subparagraph (A), the Inspector General shall take into account the most recent report submitted to Congress by the Secretary under paragraph (2).

(k) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a limitation on the authority of the Secretary to enter into other agreements regarding the Campus that are authorized by law and not inconsistent with this section.

(l) PRINCIPALLY BENEFIT VETERANS AND THEIR FAMILIES DEFINED.—In this section the term ''principally benefit veterans and their families'', with respect to services provided by a person or entity under a lease of property or land-sharing agreement—

(1) means services—

(A) provided exclusively to veterans and their families; or

(B) that are designed for the particular needs of veterans and their families, as opposed to the general public, and any benefit of those services to the general public is distinct from the intended benefit to veterans and their families; and

(2) excludes services in which the only benefit to veterans and their families is the generation of revenue for the Department of Veterans Affairs.

(m) CONFORMING AMENDMENTS.—

(1) PROHIBITION ON DISPOSAL OF PROPERTY.—Section 224(a) of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2272) is amended by striking ''The Secretary of Veterans Affairs'' and inserting ''Except as authorized under the Los Angeles Homeless Veterans Leasing Act of 2016, the Secretary of Veterans Affairs''.

(2) ENHANCED-USE LEASES.—Section 8162(c) of title 38, United States Code, is amended by inserting '', other than an enhanced-use

lease under the Los Angeles Homeless Veterans Leasing Act of 2016,'' before ''shall be considered''.

SEC. 3. IMPROVEMENTS TO ENHANCED-USE LEASE AUTHORITY OF DEPARTMENT OF VETERANS AFFAIRS.

(a) PROHIBITION ON WAIVER OF OBLIGATION OF LESSEE.—Paragraph (3) of section 8162(b) of title 38, United States Code, is amended by adding at the following new subparagraph:

''(D) The Secretary may not waive or postpone the obligation of a lessee to pay any consideration under an enhanced-use lease, including monthly rent.''.

(b) CLARIFICATION OF LIABILITY OF FEDERAL GOVERNMENT TO THIRD PARTIES.—Section 8162 of such title is amended by adding at the end the following new subsection:

''(d)(1) Nothing in this subchapter authorizes the Secretary to enter into an enhanced-use lease that provides for, is contingent upon, or otherwise authorizes the Federal Government to guarantee a loan made by a third party to a lessee for purposes of the enhanced-use lease.

''(2) Nothing in this subchapter shall be construed to abrogate or constitute a waiver of the sovereign immunity of the United States with respect to any loan, financing, or other financial agreement entered into by the lessee and a third party relating to an enhanced-use lease.''.

(c) TRANSPARENCY.—

(1) NOTICE.—Section 8163(c)(1) of such title is amended—

(A) by inserting '', the Committees on Appropriations of the House of Representatives and the Senate, and the Committees on the Budget of the House of Representatives and the Senate'' after ''congressional veterans' affairs committees'';

(B) by striking ''and shall publish'' and inserting '', shall publish'';

(C) by inserting before the period at the end the following: '', and shall submit to the congressional veterans' affairs committees a copy of the proposed lease''; and

(D) by adding at the end the following new sentence: ''With respect to a major enhanced-use lease, upon the request of the congressional veterans' affairs committees, not later than 30 days after the date of such notice, the Secretary shall testify before the committees on the major enhanced-use lease, including with respect to the status of the lease, the cost, and the plans to carry out the activities under the lease. The Secretary may not delegate such testifying below the level of the head of the Office of Asset Enterprise Management of the Department or any successor to such office.''.

(2) ANNUAL REPORTS.—Section 8168 of such title is amended—

(A) by striking ''to Congress'' each place it appears and inserting ''to the congressional veterans' affairs committees, the Committees on Appropriations of the House of Representatives and the Senate, and the Committees on the Budget of the House of Representatives and the Senate'';

(B) in subsection (a)—

(i) by striking ''Not later'' and inserting ''(1) Not later'';

(ii) by striking ''a report'' and all that follows through the period at the end and inserting ''a report on enhanced-use leases.''; and

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

''(2) Each report under paragraph (1) shall include the following:

''(A) Identification of the actions taken by the Secretary to implement and administer enhanced-use leases.

''(B) For the most recent fiscal year covered by the report, the amounts deposited into the Medical Care Collection Fund account that were derived from enhanced-use leases.

''(C) Identification of the actions taken by the Secretary using the amounts described in subparagraph (B).

''(D) Documents of the Department supporting the contents of the report described in subparagraphs (A) through (C).''; and

(C) in subsection (b)—

(i) by striking ''Each year'' and inserting ''(1) Each year'';

(ii) by striking ''this subchapter,'' and all that follows through the period at the end and inserting ''this subchapter.''; and

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

''(2) Each report under paragraph (1) shall include the following with respect to each enhanced-use lease covered by the report:

''(A) An overview of how the Secretary is using consideration received by the Secretary under the lease to support veterans.

''(B) The amount of consideration received by the Secretary under the lease.

''(C) The amount of any revenues collected by the Secretary relating to the lease not covered by subparagraph (B), including a description of any in-kind assistance or services provided by the lessee to the Secretary or to veterans under an agreement entered into by the Secretary pursuant to any provision of law.

''(D) The costs to the Secretary of carrying out the lease.

''(E) Documents of the Department supporting the contents of the report described in subparagraphs (A) through (D).''.

(d) ADDITIONAL DEFINITIONS.—Section 8161 of such title is amended by adding at the end the following new paragraphs:

''(4) The term 'lessee' means the party with whom the Secretary has entered into an enhanced-use lease under this subchapter.

''(5) The term 'major enhanced-use lease' means an enhanced-use lease that includes consideration consisting of an average annual rent of more than $10,000,000.''.

(e) COMPTROLLER GENERAL AUDIT.—

(1) REPORT.—Not later than 270 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report containing an audit of the enhanced-use lease program of the Department of Veterans Affairs under subchapter V of chapter 81 of title 38, United States Code.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) The financial impact of the enhanced-use lease authority on the Department of Veterans Affairs and whether the revenue realized from such authority and other financial benefits would have been realized without such authority.

(B) The use by the Secretary of such authority and whether the arrangements made under such authority would have been made without such authority.

(C) An identification of the controls that are in place to ensure accountability and transparency and to protect the Federal Government.

(D) An overall assessment of the activities of the Secretary under such authority to ensure procurement cost avoidance, negotiated cost avoidance, in-contract cost avoidance, and rate reductions.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committees on Veterans' Affairs of the House of Representatives and the Senate;

(B) the Committees on Appropriations of the House of Representatives and the Senate; and

(C) the Committees on the Budget of the House of Representatives and the Senate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and provide any extraneous material.

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

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5936, as amended, the West Los Angeles Leasing Act of 2016.

I would like to express my appreciation to Dr. PRICE for his tireless efforts in working with our committee on scoring that was associated with this particular piece of legislation. Without his cooperation, we would not be poised to pass this bill today.

This bill would authorize VA to carry out certain leases on the VA Greater Los Angeles Healthcare System West L.A. Medical Center Campus in Los Angeles, California, in accordance with the draft master plan.

Leases that would be considered allowable under this language include: an enhanced-use lease for the purpose of providing supportive housing, any lease lasting less than 50 years to a third party to provide services that benefit veterans and their families, or a lease lasting less than 10 years to the University of California if the lease is consistent with the master plan and the University's activities are principally focused on providing services to veterans.

Any land-sharing agreements that fail to provide additional healthcare resources or to benefit veterans and their families in ways other than generating additional revenue would be prohibited, and any funds received from leases credited to the West L.A. VA Medical facility would be required to be used exclusively for renovation and maintenance.

The bill also includes numerous reporting requirements to ensure that the VA is fully transparent with Congress and the American people regarding the management use and operations of the campus.

I was honored to visit West L.A. and their medical center campus earlier this year and witness firsthand the enormous promise it holds for our veterans, especially our homeless veterans.

This historic site has suffered from many years of neglect, misuse, and mismanagement; but, with passage of H.R. 5936, as amended, today, I am confident that it will finally be on the path to preservation, revitalization,

and the fulfillment of its mission to serve and to provide for veterans in need throughout the Greater Los Angeles area.

I am grateful to my friend and colleague, Congressman TED LIEU, from California, for joining me in sponsoring this legislation, and I urge all of my colleagues to join us in supporting this piece of legislation.

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

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

I rise in support of H.R. 5936. This legislation would provide a model for how VA campuses can provide services to homeless veterans and those at risk of homelessness.

It would authorize VA to carry out certain leases on the VA Greater Los Angeles Healthcare System West L.A. Medical Center Campus, and would prohibit VA from entering into any landsharing agreements unless the agreements provide additional healthcare resources and also benefit veterans and their families in ways other than generating additional revenue.

Mr. Speaker, there is a long history here with the West L.A. Campus. Without going into too much detail, this provision would ensure that the VA West L.A. Campus is used for the betterment of veterans, the original intent of the legacy when the land was donated decades ago. It is an important step forward for the veterans community in southern California.

I would like to thank the chairman for introducing this bill and Representative TED LIEU of California for his hard work.

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

Mr. MILLER of Florida. Mr. Speaker, I have no other speakers at this time, so we are prepared to close.

I reserve the balance of my time.

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

I strongly support this legislation, and I urge my colleagues to vote ''yes'' on H.R. 5936, as amended. And I want to express, again, my deep appreciation in working with the majority to get this bill done. It is really important to those of us in southern California, and I cannot overstate how much this means to the veterans community in California.

Mr. Speaker, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I urge all Members to support this piece of legislation.

I yield back the balance of my time.

Mr. TOM PRICE of Georgia. Mr. Speaker, today, the House will consider H.R. 5936, the Veterans Care Agreement and West Los Angeles Leasing Act of 2016. H.R. 5936 authorizes the Department of Veterans Affairs (VA) to lease underused Federal property at the Department's medical campus in Los Angeles to developers who would construct supportive housing and rehabilitation facilities for homeless veterans.

Congressional Budget Office [CBO] estimates of the budgetary effects of VA's enhanced-use leases have evolved over time. Dating back to the first VA enhanced-use lease in 1999, CBO believed that VA enhanced-use leasing arrangements were a quid pro quo exchange of equal value which would not have any scoring implications. As CBO continued to gather more information on these leases, in addition to monitoring and evaluating VA's behavior regarding these lease agreements, it changed its scoring practices and today scores enhanced-use leases with an upfront, direct spending cost. The evolution of CBO's VA enhanced-use lease scoring came about from agreements and contracts that assured non-Federal lessees would be able to recover their capital costs invested in leased facilities through guaranteed payments from the Federal Government.

CBO estimates that enacting H.R. 5936 would provide borrowing authority of $44 million over fiscal years 2017 through 2026, which would result in new direct spending. Notwithstanding CBO's conclusion, the House Committee on the Budget believes new mandatory spending will not be provided by H.R. 5936 as amended. The Committee, working closely with the House Committee on Veterans' Affairs, has included section 4 in H.R. 5936 that would do the following: (1) ensure the Department of Veterans Affairs and third-party enhanced-use leasing agreements do not include either an explicit or implicit Federal Government loan guarantee; (2) prevent the Federal government from abrogating its sovereign immunity with respect to any loan, or other financial agreement; and, (3) require greater transparency, accountability, and congressional oversight of VA's enhanced-use lease program. If the Department of Veterans Affairs fails to faithfully execute the requirements in H.R. 5936, the House Committee on the Budget will revisit this issue in the context of future requests for enhanced-use leasing authority.

With these fiscal protections in place, I support H.R. 5936, the Veterans Care Agreement and West Los Angeles Leasing Act of 2016, which ensures America's homeless veterans are provided quality access to care and services, and brings our Nation one step closer to ending veteran homelessness.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 5936, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to authorize the Secretary of Veterans Affairs to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, to make certain improvements to the enhanced-use lease authority of the Department, and for other purposes.''.

A motion to reconsider was laid on the table.

VETERANS MOBILITY SAFETY ACT OF 2016

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3471) to amend title 38, United States Code, to make certain improvements in the provision of automobiles and adaptive equipment by the Department of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3471

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Veterans Mobility Safety Act of 2016''.

SEC. 2. PERSONAL SELECTIONS OF AUTOMOBILES AND ADAPTIVE EQUIPMENT.

Section 3903(b) of title 38, United States Code, is amended—

(1) by striking ''Except'' and inserting ''(1) Except''; and

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

''(2) The Secretary shall ensure that to the extent practicable an eligible person who is provided an automobile or other conveyance under this chapter is given the opportunity to make personal selections relating to such automobile or other conveyance.''.

SEC. 3. COMPREHENSIVE POLICY FOR THE AUTOMOBILES ADAPTIVE EQUIPMENT PROGRAM.

(a) COMPREHENSIVE POLICY.—The Secretary of Veterans Affairs shall develop a comprehensive policy regarding quality standards for providers who provide modification services to veterans under the automobile adaptive equipment program.

(b) SCOPE.—The policy developed under subsection (a) shall cover each of the following:

(1) The Department of Veterans Affairs-wide management of the automobile adaptive equipment program.

(2) The development of standards for safety and quality of equipment and installation of equipment through the automobile adaptive equipment program, including with respect to the defined differentiations in levels of modification complexity.

(3) The consistent application of standards for safety and quality of both equipment and installation throughout the Department.

(4) The certification of a provider by a third party organization or manufacturer if the Secretary designates the quality standards of such organization or manufacturer as meeting or exceeding the standards developed under this section.

(5) The education and training of personnel of the Department who administer the automobile adaptive equipment program.

(6) The compliance of the provider with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) when furnishing automobile adaptive equipment at the facility of the provider.

(7) The allowance, where technically appropriate, for veterans to receive modifications at their residence or location of choice.

(c) UPDATES.—Not later than one year after the date of the enactment of this Act, the Secretary shall update Veterans Health Administration Handbook 1173.4, or any successor handbook or directive, in accordance with the policy developed under subsection (a). Not less frequently than once every six years thereafter, the Secretary shall update such handbook, or any successor handbook or directive.

(d) CONSULTATION.—The Secretary shall develop the policy under subsection (a), and revise such policy under subsection (c), in consultation with veterans service organizations, the National Highway Transportation Administration, industry representatives, manufacturers of automobile adaptive equipment, and other entities with expertise in installing, repairing, replacing, or manufacturing mobility equipment

or developing mobility accreditation standards for automobile adaptive equipment.

(e) CONFLICTS.—In developing and implementing the policy under subsection (a), the Secretary shall—

(1) minimize the possibility of conflicts of interest, to the extent practicable; and

(2) establish procedures that ensure against the use of a certifying entity referred to in subsection (b)(4) that has a financial conflict of interest regarding the certification of an eligible provider.

(f) BIENNIAL REPORT.—

(1) IN GENERAL.—Not later than one year after the date on which the Secretary updates Veterans Health Administration Handbook 1173.4, or any successor handbook or directive, under subsection (c), and biennially thereafter through 2022, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on the implementation and facility compliance with the policy developed under subsection (a).

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the implementation plan for the policy developed under subsection (a) and any revisions to such policy under subsection (c).

(B) A description of the performance measures used to determine the effectiveness of such policy in ensuring the safety of veterans enrolled in the automobile adaptive equipment program.

(C) An assessment of safety issues due to improper installations based on a survey of recipients of adaptive equipment from the Department.

(D) An assessment of the adequacy of the adaptive equipment services of the Department based on a survey of recipients of adaptive equipment from the Department.

(E) An assessment of the training provided to the personnel of the Department with respect to administering the program.

(F) An assessment of the certified providers of the Department of adaptive equipment with respect to meeting the minimum standards developed under subsection (b)(2).

(g) DEFINITIONS.—In this section:

(1) The term ''automobile adaptive equipment program'' means the program administered by the Secretary of Veterans Affairs pursuant to chapter 39 of title 38, United States Code.

(2) The term ''veterans service organization'' means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

SEC. 4. APPOINTMENT OF LICENSED HEARING AID SPECIALISTS IN VETERANS HEALTH ADMINISTRATION.

(a) LICENSED HEARING AID SPECIALISTS.—

(1) APPOINTMENT.—Section 7401(3) of title 38, United States Code, is amended by inserting ''licensed hearing aid specialists,'' after ''Audiologists,''.

(2) QUALIFICATIONS.—Section 7402(b)(14) of such title is amended by inserting '', hearing aid specialist'' after ''dental technologist''.

(b) REQUIREMENTS.—With respect to appointing hearing aid specialists under sections 7401 and 7402 of title 38, United States Code, as amended by subsection (a), and providing services furnished by such specialists, the Secretary shall ensure that—

(1) a hearing aid specialist may only perform hearing services consistent with the hearing aid specialist's State license related to the practice of fitting and dispensing hearing aids without excluding other qualified professionals, including audiologists, from rendering services in overlapping practice areas;

(2) services provided to veterans by hearing aid specialists shall be provided as part of the non-medical treatment plan developed by an audiologist; and

(3) the medical facilities of the Department of Veterans Affairs provide to veterans access to the full range of professional services provided by an audiologist.

(c) CONSULTATION.—In determining the qualifications required for hearing aid specialists and in carrying out subsection (b), the Secretary shall consult with veterans service organizations, audiologists, otolaryngologists, hearing aid specialists, and other stakeholder and industry groups as the Secretary determines appropriate.

(d) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter during the five-year period beginning on the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the following:

(A) Timely access of veterans to hearing health services through the Department of Veterans Affairs.

(B) Contracting policies of the Department with respect to providing hearing health services to veterans in facilities that are not facilities of the Department.

(2) TIMELY ACCESS TO SERVICES.—Each report shall, with respect to the matter specified in paragraph (1)(A) for the one-year period preceding the submittal of such report, include the following:

(A) The staffing levels of audiologists, hearing aid specialists, and health technicians in audiology in the Veterans Health Administration.

(B) A description of the metrics used by the Secretary in measuring performance with respect to appointments and care relating to hearing health.

(C) The average time that a veteran waits to receive an appointment, beginning on the date on which the veteran makes the request, for the following:

(i) A disability rating evaluation for a hearing-related disability.

(ii) A hearing aid evaluation.

(iii) Dispensing of hearing aids.

(iv) Any follow-up hearing health appointment.

(D) The percentage of veterans whose total wait time for appointments described in subparagraph (C), including an initial and follow-up appointment, if applicable, is more than 30 days.

(3) CONTRACTING POLICIES.—Each report shall, with respect to the matter specified in paragraph (1)(B) for the one-year period preceding the submittal of such report, include the following:

(A) The number of veterans that the Secretary refers to non-Department audiologists for hearing health care appointments.

(B) The number of veterans that the Secretary refers to non-Department hearing aid specialists for follow-up appointments for a hearing aid evaluation, the dispensing of hearing aids, or any other purpose relating to hearing health.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add extraneous material.

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

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3471, as amended, the Veterans Mobility Safety Act of 2016.

This bill is sponsored by my friend and committee member, Congresswoman JACKIE WALORSKI from Indiana, and includes a provision from H.R. 353, the Veterans' Access to Hearing Health Act of 2015, which is sponsored by Congressman SEAN DUFFY from Wisconsin. I am very grateful to both of them for their efforts.

H.R. 3471, as amended, would direct the Department of Veterans Affairs to develop a comprehensive policy regarding quality standards for providers who dispense modification services to veterans under the Automobile Adaptive Equipment program.

VA's current handbook governing the Automobile Adaptive Equipment program has not been updated since it was released in 2000, despite being scheduled for recertification in 2005. Allowing the handbook for this important program to get so outdated is troublesome to me, given that improperly installed automobile adaptive equipment carries risks for our disabled veterans and for all those sharing America's roads.

The bill would also authorize VA to hire and prescribe qualified qualifications for hiring hearing aid specialists. One of my highest priorities as chairman has been ensuring that our Nation's veterans receive timely access to quality care.

That is why I was so frustrated by an audit issued by the VA inspector general in 2014 which found that VA took 17 to 24 days to complete hearing aid repair services and that, nationally, 30 percent of veterans waited more than 30 days from the estimated date that the VA medical facility had received the hearing aid from a vendor to the date the medical facility actually issued the hearing aid to the veteran themselves.

Too many veterans relying on hearing aids cannot wait for weeks or months for VA to make repairs, and I am hopeful that, by authorizing VA to hire hearing aid specialists to assist with basic hearing aid repairs, they will no longer have to wait.

Mr. Speaker, I urge all of my colleagues to join me in supporting this legislation.

I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of this legislation brought forward by my colleague, Representative WALORSKI.

This bill directs VA to ensure that an eligible disabled veteran who has been provided with an automobile is given the opportunity to make personal selections relating to the automobile. The provider of any adaptive equipment modification services must be certified by a certification organization or the manufacturer of the adaptive equipment.

In addition, the provider of the automobile or adaptive equipment or the

provider of the modification services must adhere to specific requirements under the Americans with Disabilities Act of 1990 and the National Highway Traffic Safety Administration Federal Motor Vehicle Safety Standards.

Mr. Speaker, I think these are important protections for those veterans who need to personalize the vehicles they drive.

Mr. Speaker, I urge support for this legislation.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, at this time, I yield such time as she may consume to the gentlewoman from Indiana (Mrs. WALORSKI). She represents the Second Congressional District of Indiana, ''Gin Town.''

Mrs. WALORSKI. Mr. Speaker, I rise today to urge my colleagues to support the Veterans Mobility Safety Act. This legislation will improve veterans' care and ensure the quality of the automobile adaptive equipment and hearing aids disabled veterans depend on.

Automotive mobility plays a vital role in helping our disabled veterans live a normal life after being wounded on the battlefield. The VA's Automobile Adaptive Equipment, or AAE, program provides eligible disabled veterans with an automobile or modification, such as wheelchair lifts and reduced-effort steering and braking, to existing vehicles to improve their quality of life.

Under the current AAE program, local VA facilities operate based upon their own interpretations of VA procedures that haven't been updated since 2000. It lacks quality standards for providers as well. As you can imagine, this fragmented and outdated system has resulted in cases of improperly installed equipment that caused serious safety issues for both the veteran and the driving public.

My legislation requires the VA to develop a comprehensive policy regarding quality standards for providers that participate in the AAE program in close consultation with a host of stakeholders, including veterans service organizations, the National Highway Transportation Safety Administration, and industry representatives. The result will be a veteran-centric policy that ensures access to safe, quality equipment. Lastly, it would require VA to update the AAE program handbook to reflect the new policy, along with biennial reports on implementation and compliance.

This legislation also includes Congressman DUFFY's bill that would allow the VA to utilize hearing aid specialists to help fill the need for certain hearing aid services. This legislation will decrease audiologists' workload and allow them to focus on special cases and complex conditions while also decreasing the wait time for a veteran who just needs a quick tweak to their hearing aid.

I want to thank the chairman for all his work on veterans' issues. I want to also thank Representatives BROWNLEY and RUIZ for their work on this legislation. Lastly, I want to thank Paralyzed Veterans of America for all of their help and all other veterans service organizations for all of their hard work advocating for veterans.

Mr. Speaker, I urge my colleagues to support this commonsense bill.

Mr. TAKANO. Mr. Speaker, I have no further speakers. I urge my colleagues to join me in passing H.R. 3471, as amended.

Mr. Speaker, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, once again, I urge my colleagues to join us in supporting this piece of legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 3471, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

AUTHORIZING THE AMERICAN BATTLE MONUMENTS COMMISSION TO ACQUIRE, OPERATE, AND MAINTAIN THE LAFAYETTE ESCADRILLE MEMORIAL

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5937) to amend title 36, United States Code, to authorize the American Battle Monuments Commission to acquire, operate, and maintain the Lafayette Escadrille Memorial in Marnes-la-Coquette, France, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5937

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

SECTION 1. AUTHORITY OF THE AMERICAN BATTLE MONUMENTS COMMISSION TO ACQUIRE, OPERATE, AND MAINTAIN THE LAFAYETTE ESCADRILLE MEMORIAL.

(a) IN GENERAL.—Chapter 21 of title 36, United States Code, is amended by adding at the end the following new section:

''§ 2115. Acquisition, operation, and maintenance of Lafayette Escadrille Memorial.

''The American Battle Monuments Commission may enter into an agreement with the Lafayette Escadrille Memorial Foundation to acquire, operate, and maintain the Lafayette Escadrille Memorial in Marnes-la-Coquette, France. Under such an agreement, the Commission shall make necessary arrangements to ensure the ongoing maintenance of the memorial, including the cemetery at the memorial that contains the remains of 49 aviators of the United States who died during World War I.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 21 of such title is amended by adding at the end of the following new item:

''2115. Acquisition, operation, and maintenance of Lafayette Escadrille Memorial.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and add extraneous materials to H.R. 5937, as amended.

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

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5937, as amended. I want to thank Chairman ED ROYCE of the Foreign Affairs Committee and his staff for their assistance in expeditiously scheduling this bill.

My bill would ensure that the Lafayette Escadrille Memorial located outside of Paris, France, will continue to be cared for in a manner that honors America's servicemembers who fought in World War I.

Before the United States entered World War I, 269 brave American volunteers flew in combat missions in the French Air Service. These Americans were referred to as the Lafayette Escadrille after Marquis de Lafayette, the Frenchman who was instrumental to America's victory during the Revolutionary War. Unfortunately, 68 members of the Lafayette Escadrille lost their lives during the war, and the Lafayette Escadrille Memorial contains a crypt that serves as the final resting place for 49 of these brave Americans who made the ultimate sacrifice.

Since 1928, the Lafayette Escadrille Memorial has been operated by the Lafayette Escadrille Memorial Foundation. The foundation is running out of funds that are needed to maintain the memorial.

H.R. 5937, as amended, would authorize the American Battle Monuments Commission to acquire, operate, and maintain the Lafayette Escadrille Memorial, which would guarantee that the memorial receives the care it deserves as a final resting place for Americans.

The ABMC, a Federal agency, currently operates numerous American military cemeteries and memorials in foreign countries. The ABMC is well equipped to ensure that the Lafayette Escadrille Memorial continues to stand as a reminder that Americans fought all around the world in the name of freedom. So I would urge my colleagues to support H.R. 5937, as amended.

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

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

Mr. Speaker, I rise in support of Chairman MILLER's bill that would authorize the American Battle Monuments Commission to acquire, operate, and maintain the Lafayette Escadrille Memorial in Marnes-la-Coquette, France.

This request was brought to us directly from the American Battle Monuments Commission in order to ensure that this memorial that honors the service and sacrifice of the Lafayette Flying Corps is properly maintained.

The Lafayette Flying Corps was a small group of American aviators who volunteered to serve in the Lafayette Escadrille prior to the United States entering World War I. Forty-nine members of the Lafayette Flying Corps lost their lives in the war and are interred in the crypts below the memorial.

This incredible group included ''Lucky'' Herschel McKee, who became their youngest ace with 12 kills, and Eugene James Bullard, the first African American military pilot who was subsequently made a knight of the Legion of Honor, France's most coveted award established by Napoleon Bonaparte.

This important effort will incur no additional costs as the ABMC has indicated that they can maintain this important memorial within their existing appropriations.

I encourage my colleagues to join me in support of passage of this important legislation that honors the services and sacrifice of our men and women that defend our great Nation.

Mr. Speaker, I urge my colleagues to support this important legislation, H.R. 5937, as amended.

I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I too would urge all colleagues to support this piece of legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill (H.R. 5937), as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ENSURING ACCESS TO PACIFIC FISHERIES ACT

Mrs. RADEWAGEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4576) to implement the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean, to implement the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4576

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Ensuring Access to Pacific Fisheries Act''.

TITLE I—NORTH PACIFIC FISHERIES CONVENTION IMPLEMENTATION

SEC. 101. DEFINITIONS.

In this title:

(1) COMMISSION.—The term ''Commission'' means the North Pacific Fisheries Commission established in accordance with the North Pacific Fisheries Convention.

(2) COMMISSIONER.—The term ''Commissioner'' means a United States Commissioner appointed under section 102(a).

(3) CONVENTION AREA.—The term ''Convention Area'' means the area to which the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean applies under Article 4 of such Convention.

(4) COUNCIL.—The term ''Council'' means the North Pacific Fishery Management Council, the Pacific Fishery Management Council, or the Western Pacific Fishery Management Council established under section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852), as the context requires.

(5) EXCLUSIVE ECONOMIC ZONE.—The term ''exclusive economic zone'' means—

(A) with respect to the United States, the zone established by Presidential Proclamation Numbered 5030 of March 10, 1983 (16 U.S.C. 1453 note); and

(B) with respect to a foreign country, a designated zone similar to the zone referred to in subparagraph (A) for that country, consistent with international law.

(6) FISHERIES RESOURCES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''fisheries resources'' means all fish, mollusks, crustaceans, and other marine species caught by a fishing vessel within the Convention Area, as well as any products thereof.

(B) EXCLUSIONS.—The term ''fisheries resources'' does not include—

(i) sedentary species insofar as they are subject to the sovereign rights of coastal nations consistent with Article 77, paragraph 4 of the 1982 Convention and indicator species of vulnerable marine ecosystems as listed in, or adopted pursuant to, Article 13, paragraph 5 of the North Pacific Fisheries Convention;

(ii) catadromous species;

(iii) marine mammals, marine reptiles, or seabirds; or

(iv) other marine species already covered by preexisting international fisheries management instruments within the area of competence of such instruments.

(7) FISHING ACTIVITIES.—

(A) IN GENERAL.—The term ''fishing activities'' means—

(i) the actual or attempted searching for, catching, taking, or harvesting of fisheries resources;

(ii) engaging in any activity that can reasonably be expected to result in the locating, catching, taking, or harvesting of fisheries resources for any purpose;

(iii) the processing of fisheries resources at sea;

(iv) the transshipment of fisheries resources at sea or in port; or

(v) any operation at sea in direct support of, or in preparation for, any activity described in clauses (i) through (iv), including transshipment.

(B) EXCLUSIONS.—The term ''fishing activities'' does not include any operation related to an emergency involving the health or safety of a crew member or the safety of a fishing vessel.

(8) FISHING VESSEL.—The term ''fishing vessel'' means any vessel used or intended for use for the purpose of engaging in fishing activities, including a processing vessel, a support ship, a carrier vessel, or any other vessel directly engaged in such fishing activities.

(9) HIGH SEAS.—The term ''high seas'' does not include an area that is within the exclusive economic zone of the United States or of any other country.

(10) NORTH PACIFIC FISHERIES CONVENTION.—The term ''North Pacific Fisheries Convention'' means the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean (including any annexes, amendments, or protocols that are in force, or have come into force) for the United States, which was adopted at Tokyo on February 24, 2012.

(11) PERSON.—The term ''person'' means—

(A) any individual, whether or not a citizen or national of the United States;

(B) any corporation, partnership, association, or other entity, whether or not organized or existing under the laws of any State; or

(C) any Federal, State, local, tribal, or foreign government or any entity of such government.

(12) SECRETARY.—Except as otherwise specifically provided, the term ''Secretary'' means the Secretary of Commerce.

(13) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and any other commonwealth, territory, or possession of the United States.

(14) STRADDLING STOCK.—The term ''straddling stock'' means a stock of fisheries resources that migrates between, or occurs in, the economic exclusion zone of one or more parties to the Convention and the Convention Area.

(15) TRANSSHIPMENT.—The term ''transshipment'' means the unloading of any fisheries resources taken in the Convention Area from one fishing vessel to another fishing vessel either at sea or in port.

(16) 1982 CONVENTION.—The term ''1982 Convention'' means the United Nations Convention on the Law of the Sea of 10 December 1982.

SEC. 102. UNITED STATES PARTICIPATION IN THE NORTH PACIFIC FISHERIES CONVENTION.

(a) UNITED STATES COMMISSIONERS.—

(1) NUMBER OF COMMISSIONERS.—The United States shall be represented on the Commission by 5 United States Commissioners.

(2) SELECTION OF COMMISSIONERS.—The Commissioners shall be as follows:

(A) APPOINTMENT BY THE PRESIDENT.—

(i) IN GENERAL.—Two of the Commissioners shall be appointed by the President and shall be an officer or employee of—

(I) the Department of Commerce;

(II) the Department of State; or

(III) the Coast Guard.

(ii) SELECTION CRITERIA.—In making each appointment under clause (i), the President shall select a Commissioner from among individuals who are knowledgeable or experienced concerning fisheries resources in the North Pacific Ocean.

(B) NORTH PACIFIC FISHERY MANAGEMENT COUNCIL.—One Commissioner shall be the chairman of the North Pacific Fishery Management Council or a designee of such chairman.

(C) PACIFIC FISHERY MANAGEMENT COUNCIL.—One Commissioner shall be the chairman of the Pacific Fishery Management Council or a designee of such chairperson.

(D) WESTERN PACIFIC FISHERY MANAGEMENT COUNCIL.—One Commissioner shall be the chairman of the Western Pacific Fishery Management Council or a designee of such chairperson.

(b) ALTERNATE COMMISSIONERS.—In the event of a vacancy in a position as a Commissioner appointed under subsection (a), the Secretary of State, in consultation with the Secretary, may designate from time to time and for periods of time considered appropriate an alternate Commissioner to the Commission. An alternate Commissioner may exercise all powers and duties of

a Commissioner in the absence of a Commissioner appointed under subsection (a), and shall serve the remainder of the term of the absent Commissioner for which designated.

(c) ADMINISTRATIVE MATTERS.—

(1) EMPLOYMENT STATUS.—An individual serving as a Commissioner, or an alternative Commissioner, other than an officer or employee of the United States Government, shall not be considered a Federal employee, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.

(2) COMPENSATION.—An individual serving as a Commissioner or an alternate Commissioner, although an officer of the United States while so serving, shall receive no compensation for the individual's services as such Commissioner or alternate Commissioner.

(3) TRAVEL EXPENSES.—

(A) IN GENERAL.—The Secretary of State shall pay the necessary travel expenses of a Commissioner or an alternate Commissioner in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

(B) REIMBURSEMENT.—The Secretary may reimburse the Secretary of State for amounts expended by the Secretary of State under this paragraph.

SEC. 103. AUTHORITY AND RESPONSIBILITY OF THE SECRETARY OF STATE.

The Secretary of State may—

(1) receive and transmit, on behalf of the United States, reports, requests, recommendations, proposals, decisions, and other communications of and to the Commission;

(2) in consultation with the Secretary, act upon, or refer to another appropriate authority, any communication received pursuant to paragraph (1);

(3) with the concurrence of the Secretary, and in accordance with the Convention, object to the decisions of the Commission; and

(4) request and utilize on a reimbursed or nonreimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies, foreign governments or agencies, or international intergovernmental organizations, in the conduct of scientific research and other programs under this title.

SEC. 104. AUTHORITY OF THE SECRETARY OF COMMERCE.

(a) PROMULGATION OF REGULATIONS.—

(1) AUTHORITY.—The Secretary, in consultation with the Secretary of State and, with respect to enforcement measures, the Secretary of the department in which the Coast Guard is operating, may promulgate such regulations as may be necessary to carry out the United States international obligations under the North Pacific Fisheries Convention and this title, including recommendations and decisions adopted by the Commission.

(2) REGULATIONS OF STRADDLING STOCKS.—In the implementation of a measure adopted by the Commission that would govern a straddling stock under the authority of a Council, any regulation promulgated by the Secretary to implement such measure within the exclusive economic zone shall be approved by such Council.

(b) RULE OF CONSTRUCTION.—Regulations promulgated under subsection (a) shall be applicable only to a person or a fishing vessel that is or has engaged in fishing activities, or fisheries resources covered by the North Pacific Fisheries Convention under this title.

(c) ADDITIONAL AUTHORITY.—The Secretary may conduct, and may request and utilize on a reimbursed or nonreimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies in—

(1) scientific, research, and other programs under this title;

(2) fishing operations and biological experiments for purposes of scientific investigation or other purposes necessary to implement the North Pacific Fisheries Convention;

(3) the collection, utilization, and disclosure of such information as may be necessary to implement the North Pacific Fisheries Convention, subject to sections 552 and 552a of title 5, United States Code, and section 402(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881a(b));

(4) the issuance of permits to owners and operators of United States vessels to engage in fishing activities in the Convention Area seaward of the exclusive economic zone of the United States, under such terms and conditions as the Secretary may prescribe, including the period of time that a permit is valid; and

(5) if recommended by the United States Commissioners, the assessment and collection of fees, not to exceed 3 percent of the ex-vessel value of fisheries resources harvested by vessels of the United States in fisheries conducted in the Convention Area, to recover the actual costs to the United States to carry out the functions of the Secretary under this title.

(d) CONSISTENCY WITH OTHER LAWS.—The Secretary shall ensure the consistency, to the extent practicable, of fishery management programs administered under this title, the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), the Tuna Conventions Act of 1950 (16 U.S.C. 951 et seq.), the South Pacific Tuna Act of 1988 (16 U.S.C. 973 et seq.), section 401 of Public Law 108–219 (16 U.S.C. 1821 note) (relating to Pacific albacore tuna), the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 et seq.), the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102–567) and the amendments made by that Act, and Public Law 100–629 (102 Stat. 3286).

(e) JUDICIAL REVIEW OF REGULATIONS.—

(1) IN GENERAL.—Regulations promulgated by the Secretary under this title shall be subject to judicial review to the extent authorized by, and in accordance with, chapter 7 of title 5, United States Code, if a petition for such review is filed not later than 30 days after the date on which the regulations are promulgated.

(2) RESPONSES.—Notwithstanding any other provision of law, the Secretary shall file a response to any petition filed in accordance with paragraph (1), not later than 30 days after the date the Secretary is served with that petition, except that the appropriate court may extend the period for filing such a response upon a showing by the Secretary of good cause for that extension.

(3) COPIES OF ADMINISTRATIVE RECORD.—A response of the Secretary under paragraph (2) shall include a copy of the administrative record for the regulations that are the subject of the petition.

(4) EXPEDITED HEARINGS.—Upon a motion by the person who files a petition under this subsection, the appropriate court shall assign the matter for hearing at the earliest possible date.

SEC. 105. ENFORCEMENT.

(a) IN GENERAL.—The Secretary and the Secretary of the department in which the Coast Guard is operating—

(1) shall administer and enforce this title and any regulations issued under this title; and

(2) may request and utilize on a reimbursed or nonreimbursed basis the assistance, services, personnel, equipment, and facilities of other Federal departments and agencies in the administration and enforcement of this title.

(b) SECRETARIAL ACTIONS.—The Secretary and the Secretary of the department in which the Coast Guard is operating shall prevent any person from violating this title with respect to fishing activities or the conservation of fisheries resources in the Convention Area in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though sections 308 through 311 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858, 1859, 1860, and 1861) were incorporated into and made a part of this title. Any person that violates this title is subject to the penalties and entitled to the privileges and immunities provided in the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) in the same manner, by the same means, and with the same jurisdiction, power, and duties as though sections 308 through 311 of that Act (16 U.S.C. 1858, 1859, 1860, and 1861) were incorporated into and made a part of this title.

(c) JURISDICTION OF THE COURTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the district courts of the United States shall have jurisdiction over any case or controversy arising under this title, and any such court may at any time—

(A) enter restraining orders or prohibitions;

(B) issue warrants, process in rem, or other process;

(C) prescribe and accept satisfactory bonds or other security; and

(D) take such other actions as are in the interest of justice.

(2) HAWAII AND PACIFIC INSULAR AREAS.—In the case of Hawaii or any possession of the United States in the Pacific Ocean, the appropriate court is the United States District Court for the District of Hawaii, except that—

(A) in the case of Guam and Wake Island, the appropriate court is the United States District Court for the District of Guam; and

(B) in the case of the Northern Mariana Islands, the appropriate court is the United States District Court for the District of the Northern Mariana Islands.

(3) CONSTRUCTION.—Each violation shall be a separate offense and the offense is deemed to have been committed not only in the district where the violation first occurred, but also in any other district authorized by law. Any offense not committed in any district is subject to the venue provisions of section 3238 of title 18, United States Code.

(d) CONFIDENTIALITY.—

(1) IN GENERAL.—Any information submitted to the Secretary in compliance with any requirement under this title, and information submitted under any requirement of this title that may be necessary to implement the Convention, including information submitted before the date of the enactment of this Act, shall be confidential and may not be disclosed, except—

(A) to a Federal employee who is responsible for administering, implementing, or enforcing this title;

(B) to the Commission, in accordance with requirements in the North Pacific Fisheries Convention and decisions of the Commission, and, insofar as possible, in accordance with an agreement with the Commission that prevents public disclosure of the identity or business of any person;

(C) to State, Council, or marine fisheries commission employees pursuant to an agreement with the Secretary that prevents public disclosure of the identity or business of any person;

(D) when required by court order; or

(E) when the Secretary has obtained written authorization from the person submitting such information to release such information to another person for a reason not otherwise provided for in this paragraph, and such release does not violate other requirements of this title.

(2) USE OF INFORMATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall promulgate regulations regarding the procedures the Secretary considers necessary to preserve the confidentiality of information submitted under this title.

(B) EXCEPTION.—The Secretary may release or make public information submitted under this title if the information is in any aggregate or

summary form that does not directly or indirectly disclose the identity or business of any person.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be interpreted or construed to prevent the use for conservation and management purposes by the Secretary of any information submitted under this title.

SEC. 106. PROHIBITED ACTS.

It is unlawful for any person—

(1) to violate this title or any regulation or permit issued under this title;

(2) to use any fishing vessel to engage in fishing activities without, or after the revocation or during the period of suspension of, an applicable permit issued pursuant to this title;

(3) to refuse to permit any officer authorized to enforce this title to board a fishing vessel subject to such person's control for the purposes of conducting any search, investigation, or inspection in connection with the enforcement of this title or any regulation, permit, or the North Pacific Fisheries Convention;

(4) to assault, resist, oppose, impede, intimidate, or interfere with any such authorized officer in the conduct of any search, investigation, or inspection in connection with the enforcement of this title or any regulation, permit, or the North Pacific Fisheries Convention;

(5) to resist a lawful arrest for any act prohibited by this title or any regulation promulgated or permit issued under this title;

(6) to ship, transport, offer for sale, sell, purchase, import, export, or have custody, control, or possession of, any fisheries resources taken or retained in violation of this title or any regulation or permit referred to in paragraph (1) or (2);

(7) to interfere with, delay, or prevent, by any means, the apprehension or arrest of another person, knowing that such other person has committed any act prohibited by this section;

(8) to submit to the Secretary false information (including false information regarding the capacity and extent to which a United States fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States), regarding any matter that the Secretary is considering in the course of carrying out this title;

(9) to assault, resist, oppose, impede, intimidate, sexually harass, bribe, or interfere with any observer on a vessel under this title, or any data collector employed by or under contract to any person to carry out responsibilities under this title;

(10) to engage in fishing activities in violation of any regulation adopted pursuant to this title;

(11) to fail to make, keep, or furnish any catch returns, statistical records, or other reports required by regulations adopted pursuant to this title to be made, kept, or furnished;

(12) to fail to stop a vessel upon being hailed and instructed to stop by a duly authorized official of the United States;

(13) to import, in violation of any regulation adopted pursuant to this title, any fisheries resources in any form of those species subject to regulation pursuant to a recommendation, resolution, or decision of the Commission, or any fisheries resources in any form not under regulation but under investigation by the Commission, during the period such fisheries resources have been denied entry in accordance with this title;

(14) to make or submit any false record, account, or label for, or any false identification of, any fisheries resources that have been, or are intended to be imported, exported, transported, sold, offered for sale, purchased, or received in interstate or foreign commerce; or

(15) to refuse to authorize and accept boarding by a duly authorized inspector pursuant to procedures adopted by the Commission for the boarding and inspection of fishing vessels in the Convention Area.

SEC. 107. COOPERATION IN CARRYING OUT CONVENTION.

(a) FEDERAL AND STATE AGENCIES; PRIVATE INSTITUTIONS AND ORGANIZATIONS.—The Secretary may cooperate with any Federal agency, any public or private institution or organization within the United States or abroad, and, through the Secretary of State, a duly authorized official of the government of any party to the North Pacific Fisheries Convention, in carrying out responsibilities under this title.

(b) SCIENTIFIC AND OTHER PROGRAMS; FACILITIES AND PERSONNEL.—Each Federal agency may, upon the request of the Secretary, cooperate in the conduct of scientific and other programs and furnish facilities and personnel for the purpose of assisting the Commission in carrying out its duties under the North Pacific Fisheries Convention.

(c) SANCTIONED FISHING OPERATIONS AND BIOLOGICAL EXPERIMENTS.—Nothing in this title, or in the laws of any State, prevents the Secretary or the Commission from—

(1) conducting or authorizing the conduct of fishing operations and biological experiments at any time for purposes of scientific investigation; or

(2) discharging any other duties prescribed by the North Pacific Fisheries Convention.

(d) STATE JURISDICTION NOT AFFECTED.—Nothing in this title shall be construed to diminish or to increase the jurisdiction of any State in the territorial sea of the United States.

SEC. 108. TERRITORIAL PARTICIPATION.

The Secretary of State shall ensure participation in the Commission and its subsidiary bodies by the Commonwealth of the Northern Mariana Islands, American Samoa, and Guam to the extent allowed under United States law.

SEC. 109. EXCLUSIVE ECONOMIC ZONE NOTIFICATION.

Masters of commercial fishing vessels of countries fishing under the management authority of the North Pacific Fisheries Convention that do not carry vessel monitoring systems capable of communicating with United States enforcement authorities shall, prior to or as soon as reasonably possible after, entering and transiting the exclusive economic zone bounded by the Convention Area, ensure that all fishing gear on board the vessel is stowed below deck or otherwise removed from the place it is normally used for fishing activities and placed where it is not readily available for fishing activities.

TITLE II—IMPLEMENTATION OF THE CONVENTION ON THE CONSERVATION AND MANAGEMENT OF HIGH SEAS FISHERY RESOURCES IN THE SOUTH PACIFIC OCEAN

SEC. 201. DEFINITIONS.

In this title:

(1) 1982 CONVENTION.—The term ''1982 Convention'' means the United Nations Convention on the Law of the Sea of 10 December 1982.

(2) COMMISSION.—The term ''Commission'' means the Commission of the South Pacific Regional Fisheries Management Organization established in accordance with the South Pacific Fishery Resources Convention.

(3) CONVENTION AREA.—The term ''Convention Area'' means the area to which the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean applies under Article 5 of such Convention.

(4) COUNCIL.—The term ''Council'' means the Western Pacific Regional Fishery Management Council.

(5) EXCLUSIVE ECONOMIC ZONE.—The term ''exclusive economic zone'' means—

(A) with respect to the United States, the zone established by Presidential Proclamation Numbered 5030 of March 10, 1983 (16 U.S.C. 1453 note); and

(B) with respect to a foreign country, a designated zone similar to the zone referred to in subparagraph (A) for that country, consistent with international law.

(6) FISHERY RESOURCES.—The term ''fishery resources'' means all fish, mollusks, crustaceans, and other marine species, and any products thereof, caught by a fishing vessel within the Convention Area, but excluding—

(A) sedentary species insofar as they are subject to the national jurisdiction of coastal States pursuant to Article 77 paragraph 4 of the 1982 Convention;

(B) highly migratory species listed in Annex I of the 1982 Convention;

(C) anadromous and catadromous species; and

(D) marine mammals, marine reptiles and sea birds.

(7) FISHING.—The term ''fishing''—

(A) except as provided in subparagraph (B), means—

(i) the actual or attempted searching for, catching, taking, or harvesting of fishery resources;

(ii) engaging in any activity that can reasonably be expected to result in the locating, catching, taking or harvesting of fishery resources for any purpose;

(iii) transshipment and any operation at sea, in support of, or in preparation for, any activity described in this subparagraph; and

(iv) the use of any vessel, vehicle, aircraft, or hovercraft in relation to any activity described in this subparagraph; and

(B) does not include any operation related to emergencies involving the health and safety of crew members or the safety of a fishing vessel.

(8) FISHING VESSEL.—The term ''fishing vessel'' means any vessel used or intended to be used for fishing, including any fish processing vessel support ship, carrier vessel, or any other vessel directly engaged in fishing operations.

(9) PERSON.—The term ''person'' means any individual (whether or not a citizen or national of the United States); any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State); and any Federal, State, local, or foreign government or any entity of any such government.

(10) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(11) SOUTH PACIFIC FISHERY RESOURCES CONVENTION.—The term ''South Pacific Fishery Resources Convention'' means the Convention on the Conservation and Management of the High Seas Fishery Resources in the South Pacific Ocean (including any annexes, amendments, or protocols that are in force, or have come into force, for the United States), which was adopted at Auckland, New Zealand, on November 14, 2009, by the International Consultations on the Proposed South Pacific Regional Fisheries Management Organization.

(12) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and any other commonwealth, territory, or possession of the United States.

SEC. 202. APPOINTMENT OR DESIGNATION OF UNITED STATES COMMISSIONERS.

(a) APPOINTMENT.—

(1) IN GENERAL.—The United States shall be represented on the Commission by not more than 3 Commissioners. In making each appointment, the President shall select a Commissioner from among individuals who are knowledgeable or experienced concerning fishery resources in the South Pacific Ocean.

(2) REPRESENTATION.—At least one of the Commissioners shall be—

(A) serving at the pleasure of the President, an officer or employee of—

(i) the Department of Commerce;

(ii) the Department of State; or

(iii) the Coast Guard; and

(B) the chairperson or designee of the Council.

(b) ALTERNATE COMMISSIONERS.—The Secretary of State, in consultation with the Secretary, may designate from time to time and for

periods of time considered appropriate an alternate Commissioner to the Commission. An alternate Commissioner may exercise all powers and duties of a Commissioner in the absence of a Commissioner appointed under subsection (a).

(c) ADMINISTRATIVE MATTERS.—

(1) EMPLOYMENT STATUS.—An individual serving as a Commissioner, or as an alternate Commissioner, other than an officer or employee of the United States Government, shall not be considered a Federal employee, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.

(2) COMPENSATION.—An individual serving as a Commissioner or an alternate Commissioner, although an officer of the United States while so serving, shall receive no compensation for the individual's services as such Commissioner or alternate Commissioner.

(3) TRAVEL EXPENSES.—

(A) IN GENERAL.—The Secretary of State shall pay the necessary travel expenses of a Commissioner or an alternate Commissioner in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

(B) REIMBURSEMENT.—The Secretary may reimburse the Secretary of State for amounts expended by the Secretary of State under this paragraph.

SEC. 203. AUTHORITY AND RESPONSIBILITY OF THE SECRETARY OF STATE.

The Secretary of State may—

(1) receive and transmit, on behalf of the United States, reports, requests, recommendations, proposals, decisions, and other communications of and to the Commission;

(2) in consultation with the Secretary, act upon, or refer to other appropriate authority, any communication pursuant to paragraph (1); and

(3) with the concurrence of the Secretary, and in accordance with the South Pacific Fishery Resources Convention, object to decisions of the Commission.

SEC. 204. RESPONSIBILITY OF THE SECRETARY AND RULEMAKING AUTHORITY.

(a) RESPONSIBILITIES.—The Secretary may—

(1) administer this title and any regulations issued under this title, except to the extent otherwise provided for in this title;

(2) issue permits to vessels subject to the jurisdiction of the United States, and to owners and operators of such vessels, to fish in the Convention Area, under such terms and conditions as the Secretary may prescribe; and

(3) if recommended by the United States Commissioners, assess and collect fees, not to exceed 3 percent of the ex-vessel value of fisheries resources harvested by vessels of the United States in fisheries conducted in the Convention Area, to recover the actual costs to the United States to carry out the functions of the Secretary under this title.

(b) PROMULGATION OF REGULATIONS.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of State and the Secretary of the department in which the Coast Guard is operating, may promulgate such regulations as may be necessary and appropriate to carry out the international obligations of the United States under the South Pacific Fishery Resources Convention and this title, including decisions adopted by the Commission.

(2) APPLICABILITY.—Regulations promulgated under this subsection shall be applicable only to a person or fishing vessel that is or has engaged in fishing, and fishery resources covered by the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean under this title.

(c) CONSISTENCY WITH OTHER LAWS.—The Secretary shall ensure the consistency, to the extent practicable, of fishery management programs administered under this title, the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), the Tuna Conventions Act of 1950 (16 U.S.C. 951 et seq.), the South Pacific Tuna Act of 1988 (16 U.S.C. 973 et seq.), section 401 of Public Law 108–219 (16 U.S.C. 1821 note) (relating to Pacific albacore tuna), the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 et seq.), the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102–567) and the amendments made by that Act, and Public Law 100–629 (102 Stat. 3286).

(d) JUDICIAL REVIEW OF REGULATIONS.—

(1) IN GENERAL.—Regulations promulgated by the Secretary under this title shall be subject to judicial review to the extent authorized by, and in accordance with, chapter 7 of title 5, United States Code, if a petition for such review is filed not later than 30 days after the date on which the regulations are promulgated or the action is published in the Federal Register, as applicable.

(2) RESPONSES.—Notwithstanding any other provision of law, the Secretary shall file a response to any petition filed in accordance with paragraph (1) not later than 30 days after the date the Secretary is served with that petition, except that the appropriate court may extend the period for filing such a response upon a showing by the Secretary of good cause for that extension.

(3) COPIES OF ADMINISTRATIVE RECORD.—A response of the Secretary under paragraph (2) shall include a copy of the administrative record for the regulations that are the subject of the petition.

(4) EXPEDITED HEARINGS.—Upon a motion by the person who files a petition under this subsection, the appropriate court shall assign the matter for hearing at the earliest possible date.

SEC. 205. ENFORCEMENT.

(a) RESPONSIBILITY.—This title, and any regulations or permits issued under this title, shall be enforced by the Secretary and the Secretary of the department in which the Coast Guard is operating. Such Secretaries shall, and the head of any Federal or State agency that has entered into an agreement with either such Secretary under this section may (if the agreement so provides), authorize officers to enforce this title or any regulation promulgated under this title. Any officer so authorized may enforce this title in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though section 311 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861) were incorporated into and made a part of this title.

(b) ADMINISTRATION AND ENFORCEMENT.—The Secretary shall prevent any person from violating this title in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though sections 308 through 311 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858 through 1861) were incorporated into and made a part of this title. Any person that violates this title shall be subject to the penalties, and entitled to the privileges and immunities, provided in the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) in the same manner and by the same means as though sections 308 through 311 of that Act (16 U.S.C. 1858 through 1861) were incorporated into and made a part of this title.

(c) DISTRICT COURT JURISDICTION.—The district courts of the United States shall have jurisdiction over any actions arising under this section. Notwithstanding subsection (b), for the purpose of this section, for Hawaii or any possession of the United States in the Pacific Ocean, the appropriate court is the United States District Court for the District of Hawaii, except that in the case of Guam and Wake Island, the appropriate court is the United States District Court for the District of Guam, and except that in the case of the Northern Mariana Islands, the appropriate court is the United States District Court for the District of the Northern Mariana Islands. Each violation shall be a separate offense and the offense is deemed to have been committed not only in the district where the violation first occurred, but also in any other district as authorized by law. Any offenses not committed in any district are subject to the venue provisions of section 3238 of title 18, United States Code.

SEC. 206. PROHIBITED ACTS.

It is unlawful for any person—

(1) to violate any provision of this title or of any regulation promulgated or permit issued under this title;

(2) to use any fishing vessel to engage in fishing without a valid permit or after the revocation, or during the period of suspension, of an applicable permit pursuant to this title;

(3) to refuse to permit any officer authorized to enforce this title to board a fishing vessel subject to such person's control for the purposes of conducting any investigation or inspection in connection with the enforcement of this title;

(4) to assault, resist, oppose, impede, intimidate, or interfere with any such authorized officer in the conduct of any search, investigation, or inspection in connection with the enforcement of this title or any regulation promulgated or permit issued under this title;

(5) to resist a lawful arrest for any act prohibited by this title or any regulation promulgated or permit issued under this title;

(6) to ship, transport, offer for sale, sell, purchase, import, export, or have custody, control, or possession of, any fishery resources taken or retained in violation of this title or any regulation or permit referred to in paragraph (1) or (2);

(7) to interfere with, delay, or prevent, by any means, the apprehension or arrest of another person, knowing that such other person has committed any act prohibited by this title;

(8) to submit to the Secretary false information, regarding any matter that the Secretary is considering in the course of carrying out this title;

(9) to assault, resist, oppose, impede, intimidate, sexually harass, bribe, or interfere with any observer on a vessel pursuant to the requirements of this title, or any data collector employed by the National Oceanic and Atmospheric Administration or under contract to any person to carry out responsibilities under this title;

(10) to fail to make, keep, or furnish any catch returns, statistical records, or other reports as are required by regulations adopted pursuant to this title to be made, kept, or furnished;

(11) to fail to stop a vessel upon being hailed and instructed to stop by a duly authorized official of the United States;

(12) to import, in violation of any regulation promulgated under this title, any fishery resources in any form of those species subject to regulation pursuant to a decision of the Commission;

(13) to make or submit any false record, account, or label for, or any false identification of, any fishery resources that have been or are intended to be imported, exported, transported, sold, offered for sale, purchased, or received in interstate or foreign commerce; or

(14) to refuse to authorize and accept boarding by a duly authorized inspector pursuant to procedures adopted by the Commission for the boarding and inspection of fishing vessels in the Convention Area.

SEC. 207. COOPERATION IN CARRYING OUT THE CONVENTION.

(a) FEDERAL AND STATE AGENCIES; PRIVATE INSTITUTIONS AND ORGANIZATIONS.—The Secretary may cooperate with agencies of the United States Government, any public or private institutions or organizations within the United States or abroad, and, through the Secretary of State, the duly authorized officials of the government of any party to the South Pacific Fishery Resources Convention, in carrying out responsibilities under this title.

(b) SCIENTIFIC AND OTHER PROGRAMS; FACILITIES AND PERSONNEL.—All Federal agencies may, upon the request of the Secretary, cooperate in the conduct of scientific and other programs and to furnish facilities and personnel for the purpose of assisting the Commission in carrying out its duties under the South Pacific Fishery Resources Convention.

(c) SANCTIONED FISHING OPERATIONS AND BIOLOGICAL EXPERIMENTS.—Nothing in this title, or in the laws or regulations of any State, prevents the Secretary or the Commission from—

(1) conducting or authorizing the conduct of fishing operations and biological experiments at any time for purposes of scientific investigation; or

(2) discharging any other duties prescribed by the South Pacific Fishery Resources Convention.

(d) STATE JURISDICTION NOT AFFECTED.—Nothing in this title shall be construed to diminish or to increase the jurisdiction of any State in the territorial sea of the United States.

SEC. 208. TERRITORIAL PARTICIPATION.

The Secretary of State shall ensure participation in the Commission and its subsidiary bodies by American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands to the extent allowed under United States law.

SEC. 209. EXCLUSIVE ECONOMIC ZONE NOTIFICATION.

Masters of commercial fishing vessels of countries fishing under the management authority of the South Pacific Fisheries Convention that do not carry vessel monitoring systems capable of communicating with United States enforcement authorities shall, before or as soon as reasonably possible after, entering and transiting the exclusive economic zone bounded by the Convention Area, ensure that all fishing gear on board the vessel is stowed below deck or otherwise removed from the place it is normally used for fishing activities and placed where it is not readily available for fishing activities.

TITLE III—WESTERN AND CENTRAL PACIFIC FISHERIES COMMISSION

SEC. 301. RECOMMENDATIONS FOR AGENDA OF ANNUAL MEETINGS OF WESTERN AND CENTRAL PACIFIC FISHERIES COMMISSION.

(a) IN GENERAL.—The Western and Central Pacific Fisheries Convention Implementation Act is amended—

(1) in section 503 (16 U.S.C. 6902)—

(A) in subsection (a), by inserting ''and commercial fishing'' after ''fish stocks''; and

(B) in subsection (d)(1), by adding at the end the following:

''(E) AGENDA RECOMMENDATIONS.—No later than 30 days before each annual meeting of the Commission, the Advisory Committee shall transmit to the United States Commissioners recommendations relating to the agenda of the annual meeting. The recommendations must be agreed to by a majority of the Advisory Committee members. The United States Commissioners shall consider such recommendations, along with additional views transmitted by Advisory Committee members, in the formulation of the United States position for the Commission meeting and during the negotiations at that meeting.''; and

(2) by redesignating section 511 (16 U.S.C. 6910) as section 512, and inserting after section 510 the following:

''SEC. 511. UNITED STATES CONSERVATION, MANAGEMENT, AND ENFORCEMENT OBJECTIVES.

''The Secretary, in consultation with the Secretary of State, in the course of negotiations, shall seek to—

''(1) minimize any disadvantage to United States fishermen in relation to other members of the Commission;

''(2) maximize the opportunities for fishing vessels of the United States to harvest fish stocks on the high seas in the Convention area, recognizing that such harvests may be restricted if the Commission, based on the best available scientific information provided by the Scientific Committee, determines it is necessary to achieve the conservation objective set forth in Article 2 of the Convention;

''(3) prevent any requirement for the transfer to other nations or foreign entities of the fishing capacity, fishing capacity rights, or fishing vessels of the United States or its territories, unless any such requirement is voluntary and market-based; and

''(4) ensure that conservation and management measures take into consideration traditional fishing patterns of fishing vessels of the United States and the operating requirements of the fisheries covered by the Western and Central Pacific Convention.''.

(b) CONFORMING AMENDMENT.—Section 1(b) of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 is amended in the table of contents by striking the item relating to section 511 (121 Stat. 3576) and inserting the following:

''Sec. 511. United States conservation, management, and enforcement objectives.
''Sec. 512. Authorization of appropriations.''.

TITLE IV—ILLEGAL, UNREGULATED, AND UNREPORTED FISHING

SEC. 401. AMENDMENTS TO THE HIGH SEAS DRIFTNET FISHING MORATORIUM PROTECTION ACT.

(a) APPLICATION OF ACT.—Section 606(b) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g(b)) is amended by striking ''and'' at the end of paragraph (7), striking the period at the end of paragraph (8) and inserting ''; and'' , and by adding at the end the following:

''(9) the Ensuring Access to Pacific Fisheries Act.''.

(b) BIENNIAL REPORTS.—Section 607 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826h) is amended by inserting ''on June 1 of that year'' after ''every 2 years thereafter,''.

(c) IDENTIFICATION OF VESSELS.—Section 609(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(a)) is amended by striking ''fishing vessels of that nation are engaged, or have'' and inserting ''any fishing vessel of that nation is engaged, or has''.

(d) IDENTIFICATION OF NATIONS.—Section 610(a)(2)(A) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826k) is amended by striking ''calendar year'' and inserting ''3 years''.

TITLE V—NORTHWEST ATLANTIC FISHERIES CONVENTION AMENDMENTS ACT

SEC. 501. SHORT TITLE; REFERENCES TO THE NORTHWEST ATLANTIC FISHERIES CONVENTION ACT OF 1995.

(a) SHORT TITLE.—This title may be cited as the ''Northwest Atlantic Fisheries Convention Amendments Act''.

(b) REFERENCES TO THE NORTHWEST ATLANTIC FISHERIES CONVENTION ACT OF 1995.—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 Northwest Atlantic Fisheries Convention Act of 1995 (16 U.S.C. 5601 et seq.).

SEC. 502. REPRESENTATION OF THE UNITED STATES UNDER CONVENTION.

Section 202 (16 U.S.C. 5601) is amended—

(1) in subsection (a)(1), by striking ''General Council and the Fisheries'';

(2) in subsection (b)(1), by striking ''at a meeting of the General Council or the Fisheries Commission'';

(3) in subsection (b)(2), by striking '', at any meeting of the General Council or the Fisheries Commission for which the Alternate Commissioner is designated'';

(4) in subsection (d)(1), by striking ''at a meeting of the Scientific Council'';

(5) in subsection (d)(2), by striking '', at any meeting of the Scientific Council for which the Alternate Representative is designated''; and

(6) in subsection (f)(1)(A), by striking ''Magnuson Act'' and inserting ''Magnuson-Stevens Fishery Conservation and Management Act''.

SEC. 503. REQUESTS FOR SCIENTIFIC ADVICE.

Section 203 (16 U.S.C. 5602) is amended—

(1) in subsection (a)—

(A) by striking ''The Representatives may'' and inserting ''A Representative may'';

(B) by striking ''described in subsection (b)(1) or (2)'' and inserting ''described in paragraph (1) or (2) of subsection (b)''; and

(C) by striking ''the Representatives have'' and inserting ''the Representative has'';

(2) by striking ''VII(1)'' each place it appears and inserting ''VII(10)(b)''; and

(3) in subsection (b)(2), by striking ''VIII(2)'' and inserting ''VII(11)''.

SEC. 504. AUTHORITIES OF SECRETARY OF STATE WITH RESPECT TO CONVENTION.

Section 204 (16 U.S.C. 5603) is amended by striking ''Fisheries Commission'' each place it appears and inserting ''Commission consistent with the procedures detailed in Articles XIV and XV of the Convention''.

SEC. 505. INTERAGENCY COOPERATION.

Section 205(a) (16 U.S.C. 5604(a)) is amended to read as follows:

''(a) AUTHORITIES OF THE SECRETARY.—In carrying out the provisions of the Convention and this title, the Secretary may arrange for cooperation with—

''(1) any department, agency, or instrumentality of the United States;

''(2) a State;

''(3) a Council; or

''(4) a private institution or an organization.''.

SEC. 506. PROHIBITED ACTS AND PENALTIES.

Section 207(a)(5) (16 U.S.C. 5606(a)(5)) is amended by striking ''fish'' and inserting ''fishery resources''.

SEC. 507. CONSULTATIVE COMMITTEE.

Section 208 (16 U.S.C. 5607) is amended—

(1) in subsection (b)(2), by striking ''two'' and inserting ''2''; and

(2) in subsection (c), by striking ''General Council or the Fisheries'' each place it appears.

SEC. 508. DEFINITIONS.

Section 210 (16 U.S.C. 5609) is amended to read as follows:

''SEC. 210. DEFINITIONS.

''In this title:

''(1) 1982 CONVENTION.—The term '1982 Convention' means the United Nations Convention on the Law of the Sea of 10 December 1982.

''(2) AUTHORIZED ENFORCEMENT OFFICER.—The term 'authorized enforcement officer' means a person authorized to enforce this title, any regulation issued under this title, or any measure that is legally binding on the United States under the Convention.

''(3) COMMISSION.—The term 'Commission' means the body provided for by Articles V, VI, XIII, XIV, and XV of the Convention.

''(4) COMMISSIONER.—The term 'Commissioner' means a United States Commissioner to the Northwest Atlantic Fisheries Organization appointed under section 202.

''(5) CONVENTION.—The term 'Convention' means the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, done at Ottawa on October 24, 1978, and as amended on September 28, 2007.

''(6) CONVENTION AREA.—The term 'Convention Area' means the waters of the Northwest Atlantic Ocean north of 35°00′ N and west of a line extending due north from 35°00′ N and 42°00′ W to 59°00′ N, thence due west to 44°00′ W, and thence due north to the coast of Greenland, and the waters of the Gulf of St. Lawrence, Davis Strait and Baffin Bay south of 78°10′ N.

''(7) COUNCIL.—The term 'Council' means the New England Fishery Management Council or the Mid-Atlantic Fishery Management Council.

''(8) FISHERY RESOURCES.—

''(A) IN GENERAL.—The term 'fishery resources' means all fish, mollusks, and crustaceans, including any products thereof, within the Convention Area.

''(B) EXCLUSIONS.—The term 'fishery resources' does not include—

''(i) sedentary species over which coastal States may exercise sovereign rights consistent with Article 77 of the 1982 Convention; or

''(ii) in so far as they are managed under other international treaties, anadromous and catadromous stocks and highly migratory species listed in Annex I of the 1982 Convention.

''(9) FISHING ACTIVITIES.—

''(A) IN GENERAL.—The term 'fishing activities' means harvesting or processing fishery resources, or transhipping of fishery resources or products derived from fishery resources, or any other activity in preparation for, in support of, or related to the harvesting of fishery resources.

''(B) INCLUSIONS.—The term 'fishing activities' includes—

''(i) the actual or attempted searching for or catching or taking of fishery resources;

''(ii) any activity that can reasonably be expected to result in locating, catching, taking, or harvesting of fishery resources for any purpose; and

''(iii) any operation at sea in support of, or in preparation for, any activity described in this paragraph.

''(C) EXCLUSIONS.—The term 'fishing activities' does not include any operation related to emergencies involving the health and safety of crew members or the safety of a vessel.

''(10) FISHING VESSEL.—

''(A) IN GENERAL.—The term 'fishing vessel' means a vessel that is or has been engaged in fishing activities.

''(B) INCLUSIONS.—The term 'fishing vessel' includes a fish processing vessel or a vessel engaged in transshipment or any other activity in preparation for or related to fishing activities, or in experimental or exploratory fishing activities.

''(11) ORGANIZATION.—The term 'Organization' means the Northwest Atlantic Fisheries Organization provided for by Article V of the Convention.

''(12) PERSON.—The term 'person' means any individual (whether or not a citizen or national of the United States), and any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State).

''(13) REPRESENTATIVE.—The term 'Representative' means a United States Representative to the Northwest Atlantic Fisheries Scientific Council appointed under section 202.

''(14) SCIENTIFIC COUNCIL.—The term 'Scientific Council' means the Scientific Council provided for by Articles V, VI, and VII of the Convention.

''(15) SECRETARY.—The term 'Secretary' means the Secretary of Commerce.

''(16) STATE.—The term 'State' means each of the several States of the United States, the District of Columbia, and any other commonwealth, territory, or possession of the United States.

''(17) TRANSSHIPMENT.—The term 'transshipment' means the unloading of all or any of the fishery resources on board a fishing vessel to another fishing vessel either at sea or in port.''.

SEC. 509. QUOTA ALLOCATION PRACTICE.

Section 213 (16 U.S.C. 5612) is repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from American Samoa (Mrs. RADEWAGEN) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from American Samoa.

GENERAL LEAVE

Mrs. RADEWAGEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from American Samoa?

There was no objection.

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

Mr. Speaker, in American Samoa, there are no issues that carry more weight to the people who I represent than those of our fisheries, which comprise over 80 percent of the island's revenue generation. It is for that reason I introduced the Ensuring Access to Pacific Fisheries Act with my colleague from Alaska, Congressman DON YOUNG.

Our bill ensures that our fishermen can operate on a level playing field with foreign nation vessels. Specifically, the bill implements U.S. participation in two new international fishery management agreements to which the United States helped negotiate: the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean and the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean. The bill also includes the Northwest Atlantic Fisheries Convention Act which was adopted from the Senate bill, among other provisions.

I am proud to say that this bill does exactly what the title suggests. It ensures our fishermen's access to fisheries in international waters where we set the example for the rest of the world on how to best manage and conserve the ocean's resources.

Based on the administration's proposal, this bill makes necessary additions to ensure that our fishermen are properly represented in these international forums. Specifically, the first two titles of this bill ensure participation of the relevant regional fishery management councils and territories in the international negotiations of the North and South Pacific Commissions.

However, it is the third title of this bill that matters most to the people of American Samoa and our other fishing communities. Title III makes critical amendments to the Western and Central Pacific Fisheries Convention Implementation Act to minimize the disadvantage and maximize opportunities for our fishing fleets, especially those targeting migratory tuna stocks in the Pacific, which are essential to the stability of the American Samoa economy.

Our committee heard firsthand during the hearing on this bill last March that science has taken a back seat to geopolitics in these negotiations, and our fishermen are bearing the burden, especially those in the area of fishing for bigeye tuna.

In an effort to remain fair and true to the fishermen in American Samoa, title III also ensures access to traditional fishing grounds, which our people have utilized for centuries and long before any relationship with the United States, by requiring such grounds to be considered in any formal stance taken by United States commissioners at the WCPFC.

These are necessary measures due to the pressures facing the industry from all sides, from the closing off of large swaths of the ocean, which the American Samoan people have utilized for centuries, to irresponsible federally mandated wage hikes which aim to put our remote and economically isolated islands on the same level as the States.

□ 1630

It is clear that we must ensure that those who are negotiating on behalf of our interests are doing just that, if we are to have any sort of viable fishing industry at all.

I want to thank the minority side for working with us in a bipartisan fashion on this bill. Their input and suggestions were very helpful in crafting this bill and allowing it to pass by unanimous consent. I would also like to thank the executive directors of the North Pacific and Western Pacific Councils for working with us as well. It is always helpful when drafting a bill to make sure that those affected by it have some input in the process.

Mr. Speaker, I thank Chairman KEVIN BRADY of the Ways and Means Committee for agreeing to help expedite consideration of this bill today. This bill, particularly title III, is of the utmost importance to the people of American Samoa.

I respectfully urge my colleagues to support this important legislation.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, August 3, 2016.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means, Washington, DC.

DEAR MR. CHAIRMAN: On July 13, 2016, the Committee on Natural Resources favorably reported as amended H.R. 4576, the Ensuring Access to Pacific Fisheries Act, by unanimous consent. My staff has shared the reported text of the bill with your staff.

The reported bill contains provisions regarding fishery exports and imports, a matter within the jurisdiction of the Committee on Ways and Means. I ask that the Committee on Ways and Means not seek a sequential referral of the bill so that it may be scheduled by the Majority Leader when the House returns from the August District Work Period. This concession in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Ways and Means represented on the conference committee. Finally, I would be pleased to include this letter and any response in the Congressional Record to document this agreement.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, August 3, 2016.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources, Washington, DC.

DEAR CHAIRMAN BISHOP: Thank you for your letter concerning H.R. 4576, the ''Ensuring Access to Pacific Fisheries Act.'' As you note, the bill contains provisions within the Rule X jurisdiction of the Committee on Ways and Means.

I appreciate your willingness to work with my Committee on this legislation. In order to allow H.R. 4576 to move expeditiously to the House floor, I will not seek a sequential referral on this bill. The Committee on Ways and Means takes this action with our mutual understanding that by foregoing formal consideration of H.R. 4576, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this bill or similar legislation moves forward. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

KEVIN BRADY,
Chairman.

Mr. SABLAN. Mr. Chairman, I yield myself such time as I may consume.

This bill implements two important fisheries treaties: the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean and the Convention on the Conservation and Management of High Seas Fisheries Resources in the South Pacific Ocean. These treaties cover bottom- and mid-water fisheries in the Pacific Ocean's international waters, and implementing them will give the United States a seat at the table to ensure access for our fishermen and sound management of the resource.

H.R. 4576 also updates the Northwest Atlantic Fisheries Convention Act and amends the Western and Central Pacific Fisheries Convention Act, and makes important changes to the High Seas Driftnet Fishing Moratorium Protection Act. This set of changes will enhance our ability to combat illegal, unreported, and unregulated fishing and give greater protection to sharks.

I applaud the efforts of the gentlewoman from American Samoa (Mrs. RADEWAGEN) to bring this bill to the floor in its current form.

I urge my colleagues to join me in supporting it.

Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mrs. RADEWAGEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from American Samoa (Mrs. RADEWAGEN) that the House suspend the rules and pass the bill, H.R. 4576, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REAUTHORIZING THE HISTORICALLY BLACK COLLEGES AND UNIVERSITIES HISTORIC PRESERVATION PROGRAM

Mrs. RADEWAGEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 295) to reauthorize the Historically Black Colleges and Universities Historic Preservation program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 295

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

SECTION 1. HISTORICALLY BLACK COLLEGES AND UNIVERSITIES HISTORIC PRESERVATION PROGRAM REAUTHORIZED.

Section 507(d)(2) of the Omnibus Parks and Public Lands Management Act of 1996 (54 U.S.C. 302101 note) is amended by striking the period at the end and inserting ''and each of fiscal years 2017 through 2023.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from American Samoa (Mrs. RADEWAGEN) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from American Samoa.

GENERAL LEAVE

Mrs. RADEWAGEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from American Samoa?

There was no objection.

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

H.R. 295, introduced by Congressman CLYBURN of South Carolina, reauthorizes the Historically Black Colleges and Universities Historic Preservation program. Since 1988, this program has allowed historically Black colleges and universities to document, preserve, and stabilize historic structures on their campuses. Over $60 million has been awarded to these colleges and universities for this program, ensuring that their rich history remains preserved for future generations.

I urge my colleagues to adopt this important measure.

I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. CLYBURN), the sponsor of the bill.

Mr. CLYBURN. Mr. Speaker, I rise in support of H.R. 295, my bill to reauthorize the Historically Black Colleges and Universities Historic Preservation program. This bill has been cosponsored by my colleagues in the Congressional Black Caucus and is broadly supported by all of our colleagues. It received a unanimous vote in the House Natural Resources Committee earlier this year, and I thank Mrs. RADEWAGEN and Mr. SABLAN and all of our colleagues for their support.

As a former high school history teacher, I have worked during my tenure in Congress to preserve and protect our Nation's historic treasures. Historically Black colleges and universities, commonly called HBCUs, are some of the most important historic educational institutions in our country. Many of them have buildings and sites on their campuses that have existed for over a century. Unfortunately, many of the historic buildings and sites on these campuses have deteriorated over the years and are at risk of being lost completely if not preserved and protected.

In 1998, at the request of the Congressional Black Caucus, the United States Government Accountability Office surveyed 103 HBCU campuses to identify the historically significant sites on these campuses and project the cost of restoring and preserving these properties. The GAO identified 712 historic buildings and sites and projected a cost of $755 million to restore and preserve them. Each of these sites has national significance to American history, and I believe we have an obligation to be stewards of these cultural treasures.

Congress first authorized grants to HBCUs for historic preservation in 1996. In 2003, working with our former colleague, the gentleman from Utah, Jim Hansen, and our current colleague, and my friend, the gentleman from Tennessee, JIMMY DUNCAN, Congress expanded the program that was originally championed by our former colleague, the gentleman from Tennessee, Bob Clement. Ten million dollars was authorized annually for 5 years.

The bill before us today extends that authorization at the same level for an additional 7 years. I have seen the transformative effect of these historic preservation grants on HBCU campuses in my district and across the country.

Arnette Hall at Allen University in Columbia, South Carolina, was designed by an African American architect and constructed by the university students themselves in 1891. Before being restored to the Secretary of the Interior's standards, Arnette Hall had been boarded up for nearly 40 years.

Testifying before the Committee on Natural Resources earlier this year, Claflin University's president, Dr. Henry Tisdale, spoke of the tremendous impact the restorations of Ministers and Tingley Halls have had on his institution.

Last June, I spoke at the rededication of historic Chappelle Auditorium, on the campus of Allen University, which was painstakingly restored thanks to funding from this program.

Originally built in 1925, this building was central to the cultural life of African Americans in South Carolina for generations.

In 1947, Reverend Joseph A. DeLaine attended a NAACP event at Chappelle Auditorium that inspired him to organize Black families in Clarendon County to petition their school district to provide buses for Black students who, at the time, were forced to make a daily walk of 9.4 miles to school. This case, Briggs v. Elliot, precipitated the frontal attack on segregation in the country and was later combined with four other cases that became Brown v. Board of Education of Topeka, Kansas, at the United States Supreme Court. Overturning the ''separate but equal'' fallacy, Brown ended legal segregation in this country.

Historic buildings and sites at 59 HBCUs in 20 States have benefited from this program. Their stories are similar to those in my district that I have just shared.

There are many more buildings and sites on these campuses that are in dire need of restoration and preservation. H.R. 295 will renew our commitment to the stewardship of this critical aspect of American history.

Although it will not provide all of the funding the GAO estimated is needed to preserve every threatened site, H.R. 295 will continue the progress Congress has made in preserving these unique treasures.

I thank Chairman BISHOP, subcommittee Chairman MCCLINTOCK, and Ranking Members GRIJALVA and TSONGAS for their support of this important legislation, and I urge all of my colleagues to support it.

Mrs. RADEWAGEN. Mr. Speaker, I would advise the gentleman that I have no additional speakers, and I reserve the balance of my time.

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

H.R. 295 is a great bill. I would like to thank the gentleman from South Carolina (Mr. CLYBURN), my esteemed colleague, for all of his hard work.

I urge my colleagues to join me in supporting this bill.

I yield back the balance of my time.

Mrs. RADEWAGEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from American Samoa (Mrs. RADEWAGEN) that the House suspend the rules and pass the bill, H.R. 295, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ALYCE SPOTTED BEAR AND WALTER SOBOLEFF COMMISSION ON NATIVE CHILDREN ACT

Mrs. RADEWAGEN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 246) to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 246

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term ''Commission'' means the Alyce Spotted Bear and Walter Soboleff Commission on Native Children established by section 3.

(2) INDIAN.—The term ''Indian'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(4) NATIVE CHILD.—The term ''Native child'' means—

(A) an Indian child, as that term is defined in section 4 of the Indian Child Welfare Act of 1978 (25 U.S.C. 1903);

(B) an Indian who is between the ages of 18 and 24 years old; and

(C) a Native Hawaiian who is not older than 24 years old.

(5) NATIVE HAWAIIAN.—The term ''Native Hawaiian'' has the meaning given the term in section 7207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(7) TRIBAL COLLEGE OR UNIVERSITY.—The term ''Tribal College or University'' has the meaning given the term in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

SEC. 3. COMMISSION ON NATIVE CHILDREN.

(a) IN GENERAL.—There is established a commission in the Office of Tribal Justice of the Department of Justice, to be known as the ''Alyce Spotted Bear and Walter Soboleff Commission on Native Children''.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Commission shall be composed of 11 members, of whom—

(A) 3 shall be appointed by the President, in consultation with—

(i) the Attorney General;

(ii) the Secretary;

(iii) the Secretary of Education; and

(iv) the Secretary of Health and Human Services;

(B) 3 shall be appointed by the Majority Leader of the Senate, in consultation with the Chairperson of the Committee on Indian Affairs of the Senate;

(C) 1 shall be appointed by the Minority Leader of the Senate, in consultation with the Vice Chairperson of the Committee on Indian Affairs of the Senate;

(D) 3 shall be appointed by the Speaker of the House of Representatives, in consultation with the Chairperson of the Committee on Natural Resources of the House of Representatives; and

(E) 1 shall be appointed by the Minority Leader of the House of Representatives, in consultation with the Ranking Member of the Committee on Natural Resources of the House of Representatives.

(2) REQUIREMENTS FOR ELIGIBILITY.—

(A) IN GENERAL.—Subject to subparagraph (B), each member of the Commission shall have significant experience and expertise in—

(i) Indian affairs; and

(ii) matters to be studied by the Commission, including—

(I) health care issues facing Native children, including mental health, physical health, and nutrition;

(II) Indian education, including experience with Bureau of Indian Education schools and public schools, tribally operated schools, tribal colleges or universities, early childhood education programs, and the development of extracurricular programs;

(III) juvenile justice programs relating to prevention and reducing incarceration and rates of recidivism; and

(IV) social service programs that are used by Native children and designed to address basic needs, such as food, shelter, and safety, including child protective services, group homes, and shelters.

(B) EXPERTS.—

(i) NATIVE CHILDREN.—1 member of the Commission shall—

(I) meet the requirements of subparagraph (A); and

(II) be responsible for providing the Commission with insight into and input from Native children on the matters studied by the Commission.

(ii) RESEARCH.—1 member of the Commission shall—

(I) meet the requirements of subparagraph (A); and

(II) have extensive experience in statistics or social science research.

(3) TERMS.—

(A) IN GENERAL.—Each member of the Commission shall be appointed for the life of the Commission.

(B) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(c) OPERATION.—

(1) CHAIRPERSON.—Not later than 15 days after the date on which all members of the Commission have been appointed, the Commission shall select 1 member to serve as Chairperson of the Commission.

(2) MEETINGS.—

(A) IN GENERAL.—The Commission shall meet at the call of the Chairperson.

(B) INITIAL MEETING.—The initial meeting of the Commission shall take place not later than 30 days after the date described in paragraph (1).

(3) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(4) RULES.—The Commission may establish, by majority vote, any rules for the conduct of Commission business, in accordance with this Act and other applicable law.

(d) NATIVE ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—The Commission shall establish a committee, to be known as the ''Native Advisory Committee''.

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Native Advisory Committee shall consist of—

(i) 1 representative of Indian tribes from each region of the Bureau of Indian Affairs who is 25 years of age or older; and

(ii) 1 Native Hawaiian who is 25 years of age or older.

(B) QUALIFICATIONS.—Each member of the Native Advisory Committee shall have experience relating to matters to be studied by the Commission.

(3) DUTIES.—The Native Advisory Committee shall—

(A) serve as an advisory body to the Commission; and

(B) provide to the Commission advice and recommendations, submit materials, documents, testimony, and such other information as the Commission determines to be necessary to carry out the duties of the Commission under this section.

(4) NATIVE CHILDREN SUBCOMMITTEE.—The Native Advisory Committee shall establish a subcommittee that shall consist of at least 1 member

from each region of the Bureau of Indian Affairs and 1 Native Hawaiian, each of whom shall be a Native child, and have experience serving on the council of a tribal, regional, or national youth organization.

(e) COMPREHENSIVE STUDY OF NATIVE CHILDREN ISSUES.—

(1) IN GENERAL.—The Commission shall conduct a comprehensive study of Federal, State, local, and tribal programs that serve Native children, including an evaluation of—

(A) the impact of concurrent jurisdiction on child welfare systems;

(B) the barriers Indian tribes and Native Hawaiians face in applying, reporting on, and using existing public and private grant resources, including identification of any Federal cost-sharing requirements;

(C) the obstacles to nongovernmental financial support, such as from private foundations and corporate charities, for programs benefitting Native children;

(D) the issues relating to data collection, such as small sample sizes, large margins of error, or other issues related to the validity and statistical significance of data on Native children;

(E) the barriers to the development of sustainable, multidisciplinary programs designed to assist high-risk Native children and families of those high-risk Native children;

(F) cultural or socioeconomic challenges in communities of Native children;

(G) any examples of successful program models and use of best practices in programs that serve children and families;

(H) the barriers to interagency coordination on programs benefitting Native children; and

(I) the use of memoranda of agreement or interagency agreements to facilitate or improve agency coordination, including the effects of existing memoranda or interagency agreements on program service delivery and efficiency.

(2) COORDINATION.—In conducting the study under paragraph (1), the Commission shall, to the maximum extent practicable—

(A) to avoid duplication of efforts, collaborate with other workgroups focused on similar issues, such as the Task Force on American Indian/Alaska Native Children Exposed to Violence of the Attorney General; and

(B) to improve coordination and reduce travel costs, use available technology.

(3) RECOMMENDATIONS.—Taking into consideration the results of the study under paragraph (1) and the analysis of any existing data relating to Native children received from Federal agencies, the Commission shall—

(A) develop recommendations for goals, and plans for achieving those goals, for Federal policy relating to Native children in the short-, mid-, and long-term, which shall be informed by the development of accurate child well-being measures, except that the Commission shall not consider or recommend the recognition or the establishment of a government-to-government relationship with—

(i) any entity not recognized on or before the date of enactment of this Act by the Federal Government through an Act of Congress, Executive action, judicial decree, or any other action; or

(ii) any entity not included in the list authorized pursuant to the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a et seq.);

(B) make recommendations on necessary modifications and improvements to programs that serve Native children at the Federal, State, and tribal levels, on the condition that the recommendations recognize the diversity in cultural values, integrate the cultural strengths of the communities of the Native children, and will result in—

(i) improvements to the child welfare system that—

(I) reduce the disproportionate rate at which Native children enter child protective services and the period of time spent in the foster system;

(II) increase coordination among social workers, police, and foster families assisting Native children while in the foster system to result in the increased safety of Native children while in the foster system;

(III) encourage the hiring and retention of licensed social workers in Native communities;

(IV) address the lack of available foster homes in Native communities; and

(V) reduce truancy and improve the academic proficiency and graduation rates of Native children in the foster system;

(ii) improvements to the mental and physical health of Native children, taking into consideration the rates of suicide, substance abuse, and access to nutrition and health care, including—

(I) an analysis of the increased access of Native children to Medicaid under the Patient Protection and Affordable Care Act (Public Law 111–148) and the effect of that increase on the ability of Indian tribes and Native Hawaiians to develop sustainable health programs; and

(II) an evaluation of the effects of a lack of public sanitation infrastructure, including in-home sewer and water, on the health status of Native children;

(iii) improvements to educational and vocational opportunities for Native children that will lead to—

(I) increased school attendance, performance, and graduation rates for Native children across all educational levels, including early education, post-secondary, and graduate school;

(II) localized strategies developed by educators, tribal and community leaders, and law enforcement to prevent and reduce truancy among Native children;

(III) scholarship opportunities at a Tribal College or University and other public and private postsecondary institutions;

(IV) increased participation of the immediate families of Native children;

(V) coordination among schools and Indian tribes that serve Native children, including in the areas of data sharing and student tracking;

(VI) accurate identification of students as Native children; and

(VII) increased school counseling services, improved access to quality nutrition at school, and safe student transportation;

(iv) improved policies and practices by local school districts that would result in improved academic proficiency for Native children;

(v) increased access to extracurricular activities for Native children that are designed to increase self-esteem, promote community engagement, and support academic excellence while also serving to prevent unplanned pregnancy, membership in gangs, drug and alcohol abuse, and suicide, including activities that incorporate traditional language and cultural practices of Indians and Native Hawaiians;

(vi) taking into consideration the report of the Indian Law and Order Commission issued pursuant to section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)), improvements to Federal, State, and tribal juvenile justice systems and detention programs—

(I) to provide greater access to educational opportunities and social services for incarcerated Native children;

(II) to promote prevention and reduce incarceration and recidivism rates among Native children;

(III) to identify intervention approaches and alternatives to incarceration of Native children;

(IV) to incorporate families and the traditional cultures of Indians and Native Hawaiians in the juvenile justice process, including through the development of a family court for juvenile offenses; and

(V) to prevent unnecessary detentions and identify successful reentry programs;

(vii) expanded access to a continuum of early development and learning services for Native children from prenatal to age 5 that are culturally competent, support Native language preservation, and comprehensively promote the health, well-being, learning, and development of Native children, such as—

(I) high quality early care and learning programs for children starting from birth, including Early Head Start, Head Start, child care, and preschool programs;

(II) programs, including home visiting and family resource and support programs, that increase the capacity of parents to support the learning and development of the children of the parents, beginning prenatally, and connect the parents with necessary resources;

(III) early intervention and preschool services for infants, toddlers, and preschool-aged children with developmental delays or disabilities; and

(IV) professional development opportunities for Native providers of early development and learning services;

(viii) the development of a system that delivers wrap-around services to Native children in a way that is comprehensive and sustainable, including through increased coordination among Indian tribes, schools, law enforcement, health care providers, social workers, and families;

(ix) more flexible use of existing Federal programs, such as by—

(I) providing Indians and Native Hawaiians with more flexibility to carry out programs, while maintaining accountability, minimizing administrative time, cost, and expense and reducing the burden of Federal paperwork requirements; and

(II) allowing unexpended Federal funds to be used flexibly to support programs benefitting Native children, while taking into account—

(aa) the Indian Employment, Training and Related Services Demonstration Act of 1992 (25 U.S.C. 3401 note; 106 Stat. 2302);

(bb) the Coordinated Tribal Assistance Solicitation program of the Department of Justice;

(cc) the Federal policy of self-determination; and

(dd) any consolidated grant programs; and

(x) solutions to other issues that, as determined by the Commission, would improve the health, safety, and well-being of Native children;

(C) make recommendations for improving data collection methods that consider—

(i) the adoption of standard definitions and compatible systems platforms to allow for greater linkage of data sets across Federal agencies;

(ii) the appropriateness of existing data categories for comparative purposes;

(iii) the development of quality data and measures, such as by ensuring sufficient sample sizes and frequency of sampling, for Federal, State, and tribal programs that serve Native children;

(iv) the collection and measurement of data that are useful to Indian tribes and Native Hawaiians;

(v) the inclusion of Native children in longitudinal studies; and

(vi) tribal access to data gathered by Federal, State, and local governmental agencies; and

(D) identify models of successful Federal, State, and tribal programs in the areas studied by the Commission.

(f) REPORT.—Not later than 3 years after the date on which all members of the Commission are appointed and amounts are made available to carry out this Act, the Commission shall submit to the President, the Committee on Natural Resources of the House of Representatives, the Committee on Indian Affairs of the Senate, and the Committees on Appropriations of the House of Representatives and the Senate, a report that contains—

(1) a detailed statement of the findings and conclusions of the Commission; and

(2) the recommendations of the Commission for such legislative and administrative actions as the Commission considers to be appropriate.

(g) POWERS.—

(1) HEARINGS.—

(A) IN GENERAL.—The Commission may hold such hearings, meet and act at such times and

places, take such testimony, and receive such evidence as the Commission considers to be advisable to carry out the duties of the Commission under this section, except that the Commission shall hold not less than 5 hearings in Native communities.

(B) PUBLIC REQUIREMENT.—The hearings of the Commission under this paragraph shall be open to the public.

(2) WITNESS EXPENSES.—

(A) IN GENERAL.—A witness requested to appear before the Commission shall be paid the same fees and allowances as are paid to witnesses under section 1821 of title 28, United States Code.

(B) PER DIEM AND MILEAGE.—The fees and allowances for a witness shall be paid from funds made available to the Commission.

(3) INFORMATION FROM FEDERAL, TRIBAL, AND STATE AGENCIES.—

(A) IN GENERAL.—The Commission may secure directly from a Federal agency such information as the Commission considers to be necessary to carry out this section.

(B) TRIBAL AND STATE AGENCIES.—The Commission may request the head of any tribal or State agency to provide to the Commission such information as the Commission considers to be necessary to carry out this Act.

(4) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(5) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property related to the purpose of the Commission.

(h) COMMISSION PERSONNEL MATTERS.—

(1) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(2) DETAIL OF FEDERAL EMPLOYEES.—

(A) IN GENERAL.—On the affirmative vote of ⅔ of the members of the Commission—

(i) the Attorney General, the Secretary, the Secretary of Education, and the Secretary of the Health and Human Services shall each detail, without reimbursement, 1 or more employees of the Department of Justice, the Department of the Interior, the Department of Education, and the Department of Health and Human Services; and

(ii) with the approval of the appropriate Federal agency head, an employee of any other Federal agency may be, without reimbursement, detailed to the Commission.

(B) EFFECT ON DETAILEES.—Detail under this paragraph shall be without interruption or loss of civil service status, benefits, or privileges.

(3) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—

(A) IN GENERAL.—On request of the Commission, the Attorney General shall provide to the Commission, on a reimbursable basis, reasonable and appropriate office space, supplies, and administrative assistance.

(B) NO REQUIREMENT FOR PHYSICAL FACILITIES.—The Administrator of General Services shall not be required to locate a permanent, physical office space for the operation of the Commission.

(4) MEMBERS NOT FEDERAL EMPLOYEES.—No member of the Commission, the Native Advisory Committee, or the Native Children Subcommittee shall be considered to be a Federal employee.

(i) TERMINATION OF COMMISSION.—The Commission shall terminate 90 days after the date on which the Commission submits the report under subsection (f).

(j) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission, the Native Advisory Committee, or the Native Children Subcommittee.

(k) EFFECT.—This Act shall not be construed to recognize or establish a government-to-government relationship with—

(1) any entity not recognized on or before the date of enactment of this Act by the Federal Government through an Act of Congress, Executive action, judicial decree, or any other action; or

(2) any entity not included in the list authorized pursuant to the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a et seq.).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from American Samoa (Mrs. RADEWAGEN) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from American Samoa.

GENERAL LEAVE

Mrs. RADEWAGEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from American Samoa?

There was no objection.

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

I rise today in support of S. 246, the Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act. This bill would establish a commission in the Office of Tribal Justice at the Department of Justice. The commission would be composed of 11 members appointed by the President and congressional leadership. Each commissioner would be required to have significant expertise in Indian affairs, healthcare issues facing Native children, Indian education, juvenile justice programs focused on reducing incarceration and recidivism, and social services programs used by Native children.

□ 1645

The commission would report to Congress and to the President with legislative and administrative recommendations for improving support for mental and physical health and increased educational opportunities for Native children.

Protecting Native children and providing safe and supportive communities has always been a top priority identified by tribal leaders, yet the lack of sufficient coordinated research on the full scope of the causes, existing issues, and challenges inhibits the Federal and tribal governments from developing appropriate tailored programs to deliver the most efficient and targeted services to Native children.

S. 246 is a companion bill to H.R. 2751, sponsored by the gentlewoman from Minnesota (Ms. MCCOLLUM). I urge adoption of S. 246.

I reserve the balance of my time.

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

The studies indicate that Native youth experience significantly more challenges in virtually every aspect of their development from birth to adolescence than any other population. Native infants experience higher infant mortality rates than those of other racial or ethnic groups. Native children are overrepresented in foster care, at more than 2.1 times the general population, and 37 percent of Native children live in poverty.

Finally, it is most troubling that Native youth face a higher risk and rate of premature death than other youth. In fact, suicide is the second leading cause of death, 2.5 times the national rate, for Native youth in the 15 to 24 age group.

We need to take a comprehensive look at the health and well-being of Native children and to find the root causes of and real solutions to the problems and issues that are leading to these disturbing trends. This is why I wholeheartedly support S. 246 and the establishment of the Alyce Spotted Bear and Walter Soboleff Commission on Native Children.

The commission will be comprised of experts in the areas of juvenile justice, social work, education, and mental and physical health, working alongside a Native advisory committee composed of Native tribal representatives. They will conduct a comprehensive study of current Federal and local programs, grants, and support available for Native communities and children, and will report our recommendations for legislative and administrative actions and modifications and improvements to better serve our Native children.

I want to thank Senator HEITKAMP for introducing this important legislation and for tirelessly advocating for the creation of this commission. I also want to thank the gentlewoman from Minnesota (Ms. MCCOLLUM) for championing the House version of the bill, H.R. 2751.

Mr. Speaker, I know that the Alyce Spotted Bear and Walter Soboleff Commission on Native Children will be successful in its endeavor, and I encourage my colleagues to swiftly adopt this legislation. Native children cannot wait any longer.

I have no further speakers, and I yield back the balance of my time.

Mrs. RADEWAGEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from American Samoa (Mrs. RADEWAGEN) that the House suspend the rules and pass the bill, S. 246, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NATIVE AMERICAN TOURISM AND IMPROVING VISITOR EXPERIENCE ACT

Mrs. RADEWAGEN. Mr. Speaker, I move to suspend the rules and pass the

bill (S. 1579) to enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1579

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Native American Tourism and Improving Visitor Experience Act'' or the ''NATIVE Act''.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to enhance and integrate Native American tourism—

(A) to empower Native American communities; and

(B) to advance the National Travel and Tourism Strategy;

(2) to increase coordination and collaboration between Federal tourism assets to support Native American tourism and bolster recreational travel and tourism;

(3) to expand heritage and cultural tourism opportunities in the United States to spur economic development, create jobs, and increase tourism revenues;

(4) to enhance and improve self-determination and self-governance capabilities in the Native American community and to promote greater self-sufficiency;

(5) to encourage Indian tribes, tribal organizations, and Native Hawaiian organizations to engage more fully in Native American tourism activities to increase visitation to rural and remote areas in the United States that are too difficult to access or are unknown to domestic travelers and international tourists;

(6) to provide grants, loans, and technical assistance to Indian tribes, tribal organizations, and Native Hawaiian organizations that will—

(A) spur important infrastructure development;

(B) increase tourism capacity; and

(C) elevate living standards in Native American communities; and

(7) to support the development of technologically innovative projects that will incorporate recreational travel and tourism information and data from Federal assets to improve the visitor experience.

SEC. 3. DEFINITIONS.

In this Act:

(1) AGENCY.—The term ''agency'' has the meaning given the term in section 551 of title 5, United States Code.

(2) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) NATIVE HAWAIIAN ORGANIZATION.—The term ''Native Hawaiian organization'' means a nonprofit organization—

(A) that serves the interests of Native Hawaiians;

(B) in which Native Hawaiians serve in substantive and policymaking positions; and

(C) that is recognized for having expertise in Native Hawaiian culture and heritage, including tourism.

(4) TRIBAL ORGANIZATION.—The term ''tribal organization'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SEC. 4. INTEGRATING FEDERAL TOURISM ASSETS TO STRENGTHEN NATIVE TOURISM OPPORTUNITIES.

(a) SECRETARY OF COMMERCE AND SECRETARY OF THE INTERIOR.—The Secretary of Commerce and the Secretary of the Interior shall update the respective management plans and tourism initiatives of the Department of Commerce and the Department of the Interior to include Indian tribes, tribal organizations, and Native Hawaiian organizations.

(b) OTHER AGENCIES.—The head of each agency that has recreational travel or tourism functions or complementary programs shall update the respective management plans and tourism strategies of the agency to include Indian tribes, tribal organizations, and Native Hawaiian organizations.

(c) NATIVE AMERICAN TOURISM PLANS.—

(1) IN GENERAL.—The plans shall outline policy proposals—

(A) to improve travel and tourism data collection and analysis;

(B) to increase the integration, alignment, and utility of public records, publications, and Web sites maintained by Federal agencies;

(C) to create a better user experience for domestic travelers and international visitors;

(D) to align Federal agency Web sites and publications;

(E) to support national tourism goals;

(F) to identify agency programs that could be used to support tourism capacity building and help sustain tourism infrastructure in Native American communities;

(G) to develop innovative visitor portals for parks, landmarks, heritage and cultural sites, and assets that showcase and respect the diversity of the indigenous peoples of the United States;

(H) to share local Native American heritage through the development of bilingual interpretive and directional signage that could include or incorporate English and the local Native American language or languages; and

(I) to improve access to transportation programs related to Native American community capacity building for tourism and trade, including transportation planning for programs related to visitor enhancement and safety.

(2) CONSULTATION WITH INDIAN TRIBES AND NATIVE AMERICANS.—In developing the plan under paragraph (1), the head of each agency shall consult with Indian tribes and the Native American community to identify appropriate levels of inclusion of the Indian tribes and Native Americans in Federal tourism activities, public records and publications, including Native American tourism information available on Web sites.

(d) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Secretary of the Interior, in consultation with the Secretary of Commerce, shall enter into a memorandum of understanding or cooperative agreement with an entity or organization with a demonstrated record in tribal communities of defining, introducing, developing, and sustaining American Indian, Alaska Native, and Native Hawaiian tourism and related activities in a manner that respects and honors native traditions and values.

(2) COORDINATION.—The memorandum of understanding or cooperative agreement described in paragraph (1) shall formalize a role for the organization or entity to serve as a facilitator between the Secretary of the Interior and the Secretary of Commerce and the Indian tribes, tribal organizations, and Native Hawaiian organizations—

(A) to identify areas where technical assistance is needed through consultations with Indian tribes, tribal organizations, and Native Hawaiian organizations to empower the Indian tribes, tribal organizations, and Native Hawaiian organizations to participate fully in the tourism industry; and

(B) to provide a means for the delivery of technical assistance and coordinate the delivery of the assistance to Indian tribes, tribal organizations, and Native Hawaiian organizations in collaboration with the Secretary of the Interior, the Secretary of Commerce, and other entities with distinctive experience, as appropriate.

(3) FUNDING.—Subject to the availability of appropriations, the head of each Federal agency, including the Secretary of the Interior, the Secretary of Commerce, the Secretary of Transportation, the Secretary of Agriculture, the Secretary of Health and Human Services, and the Secretary of Labor shall obligate any funds made available to the head of the agency to cover any administrative expenses incurred by the organization or entity described in paragraph (1) in carrying out programs or activities of the agency.

(4) METRICS.—The Secretary of the Interior and the Secretary of Commerce shall coordinate with the organization or entity described in paragraph (1) to develop metrics to measure the effectiveness of the entity or organization in strengthening tourism opportunities for Indian tribes, tribal organizations, and Native Hawaiian organizations.

(e) REPORTS.—Not later than 1 year after the date of enactment of this Act, and occasionally thereafter, the Secretary of the Interior and the Secretary of Commerce shall each submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—

(1) the manner in which the Secretary of the Interior or the Secretary of Commerce, as applicable, is including Indian tribes, tribal organizations, and Native Hawaiian organizations in management plans;

(2) the efforts of the Secretary of the Interior or the Secretary of Commerce, as applicable, to develop departmental and agency tourism plans to support tourism programs of Indian tribes, tribal organizations, and Native Hawaiian organizations;

(3) the manner in which the entity or organization described in subsection (d)(1) is working to promote tourism to empower Indian tribes, tribal organizations, and Native Hawaiian organizations to participate fully in the tourism industry; and

(4) the effectiveness of the entity or organization described in subsection (d)(1) based on the metrics developed under subsection (d)(4).

SEC. 5. NATIVE AMERICAN TOURISM AND BRANDING ENHANCEMENT.

(a) IN GENERAL.—The head of each agency shall—

(1) take actions that help empower Indian tribes, tribal organizations, and Native Hawaiian organizations to showcase the heritage, foods, traditions, history, and continuing vitality of Native American communities;

(2) support the efforts of Indian tribes, tribal organizations, and Native Hawaiian organizations—

(A) to identify and enhance or maintain traditions and cultural features that are important to sustain the distinctiveness of the local Native American community; and

(B) to provide visitor experiences that are authentic and respectful;

(3) provide assistance to interpret the connections between the indigenous peoples of the United States and the national identity of the United States;

(4) enhance efforts to promote understanding and respect for diverse cultures and

subcultures in the United States and the relevance of those cultures to the national brand of the United States; and

(5) enter into appropriate memoranda of understanding and establish public-private partnerships to ensure that arriving domestic travelers at airports and arriving international visitors at ports of entry are welcomed in a manner that both showcases and respects the diversity of Native American communities.

(b) GRANTS.—To the extent practicable, grant programs relating to travel, recreation, or tourism administered by the Commissioner of the Administration for Native Americans, Chairman of the National Endowment for the Arts, Chairman of the National Endowment for the Humanities, or the head of an agency with assets or resources relating to travel, recreation, or tourism promotion or branding enhancement for which Indian tribes, tribal organizations, or Native Hawaiian organizations are eligible may be used—

(1) to support the efforts of Indian tribes, tribal organizations, and Native Hawaiian organizations to tell the story of Native Americans as the First Peoples of the United States;

(2) to use the arts and humanities to help revitalize Native communities, promote economic development, increase livability, and present the uniqueness of the United States to visitors in a way that celebrates the diversity of the United States; and

(3) to carry out this section.

(c) SMITHSONIAN.—The Advisory Council and the Board of Regents of the Smithsonian Institution shall work with Indian tribes, tribal organizations, Native Hawaiian organizations, and nonprofit organizations to establish long-term partnerships with non-Smithsonian museums and educational and cultural organizations—

(1) to share collections, exhibitions, interpretive materials, and educational strategies; and

(2) to conduct joint research and collaborative projects that would support tourism efforts for Indian tribes, tribal organizations, and Native Hawaiian organizations and carry out the intent of this section.

SEC. 6. EFFECT.

Nothing in this Act alters, or demonstrates congressional support for the alteration of, the legal relationship between the United States and any American Indian, Alaska Native, or Native Hawaiian individual, group, organization, or entity.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from American Samoa (Mrs. RADEWAGEN) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from American Samoa.

GENERAL LEAVE

Mrs. RADEWAGEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from American Samoa?

There was no objection.

Mrs. RADEWAGEN. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 1579, the Native American Tourism and Improving Visitor Experience Act, commonly known as the NATIVE Act. This bill would require Federal agencies with recreational travel and tourism functions to include Indian tribes and tribal organization in management plans. Furthermore, the bill requires the Department of Commerce and the Department of the Interior to report on how each Department is including tribes to develop Native American tourism plans to improve travel and tourism data collection.

The U.S. Travel Association estimates that the tourism industry in the United States topped $220 billion in 2014. According to the American Indian Alaska Native Tourism Association, there is growing interest in Indian Country as a tourist attraction.

This bill would help strengthen coordination and collaboration between Federal agencies where tourism programs currently exist without requiring any new appropriations. By removing any silo systems within government, tribes can seek to seize economic opportunities.

S. 1579 is the companion bill to H.R. 3477, sponsored by the gentleman from Oklahoma, Congressman MARKWAYNE MULLIN. I want to thank him for his hard work on this legislation.

I include in the RECORD an exchange of letters between the chairman of Committee on Energy and Commerce and the Committee on House Administration regarding this bill, and we thank them for agreeing to help expedite consideration of this bill today.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, August 24, 2016.

Hon. CANDICE MILLER,
Chairman, Committee on House Administration, Washington, DC.

DEAR MADAM CHAIRMAN: On July 13, 2016, the Committee on Natural Resources favorably reported S. 1579, Native American Tourism and Improving Visitor Experience Act, by unanimous consent. This bill was referred primarily to the Committee on Natural Resources, and in addition to the Committees on House Administration and Energy and Commerce. My staff has forwarded the reported text to your committee for review.

Based on this text, I ask that you allow the Committee on House Administration to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on House Administration be represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, August 24, 2016.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding S. 1579. As you know, the bill was received in the House of Representatives on June 15, 2015, and referred primarily to the Committee on Natural Resources and in addition to the Committee on Energy and Commerce and the Committee on House Administration. The bill seeks to enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States. On July 13, 2016, your Committee ordered S. 1579 to be reported by unanimous consent.

The Committee on House Administration agrees to discharge from further consideration of S. 1579 to expedite floor consideration. It is the understanding of the Committee on House Administration that forgoing action on S. 1579 will not prejudice the Committee with respect to appointment of conferees or any future jurisdictional claim. I request that your letter and this response be included in the bill report filed by your Committee, as well as in the Congressional Record.

Sincerely,

CANDICE MILLER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, September 6, 2016.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR MR. CHAIRMAN: On July 13, 2016, the Committee on Natural Resources favorably reported S. 1579, Native American Tourism and Improving Visitor Experience Act, by unanimous consent. This bill was referred primarily to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce and House Administration. My staff has forwarded the reported text to your committee for review.

Based on this text, I ask that you allow the Committee on Energy and Commerce to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Energy and Commerce be represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 6, 2016.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources, Washington, DC.

DEAR CHAIRMAN BISHOP: I write in regard to S. 1579, NATIVE Act, which was recently ordered to be reported by the Committee on

Natural Resources. As you are aware, the bill also was referred to the Committee on Energy and Commerce. I wanted to notify you that the Committee on Energy and Commerce will forgo action on S. 1579 so that it may proceed expeditiously to the House floor for consideration.

This is done with the understanding that the Committee on Energy and Commerce's jurisdictional interests over this and similar legislation are in no way diminished or altered.

I would appreciate your response confirming this understanding with respect to S. 1579 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

FRED UPTON,
Chairman.

Mrs. RADEWAGEN. Mr. Speaker, I urge adoption of S. 1579, and I reserve the balance of my time.

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

Like many other communities around the country, tribes and tribal organizations are looking for ways to attract the business of overseas tourists; and there is a significant opportunity for tribes and Native people to share and reinforce their cultures, generate income, create jobs, and improve their quality of life through increased tourism.

According to the Department of Commerce, as my colleague alluded to earlier, tourism was almost a quarter-of-a-trillion-dollar industry in 2014, with almost 34 million overseas travelers visiting the United States. And overseas travelers to the United States who visit national parks or tribal lands tend to stay longer in the United States, visit more destinations within the country, and are more likely to be repeat visitors.

However, there are currently no tourism initiatives at the Federal level that include tribes and tribal organizations. The NATIVE Act would remedy that situation by encouraging Federal programs that support tourism and tourism infrastructure to engage with our Native American communities. This will increase tribal opportunity to showcase the rich and diverse history of the indigenous peoples of the United States.

I commend Senator SCHATZ of Hawaii for this legislation. I ask my colleagues to support S. 1579.

Having no further speakers, I yield back the balance of my time.

Mrs. RADEWAGEN. Mr. Speaker, I yield back the balance of my time.

Mr. FARR. Mr. Speaker, I am pleased to support S. 1579, the Native American Tourism and Improving Visitor Experience (NATIVE) Act. This bill will advance Indian Country tourism by requiring federal agencies with recreational travel and tourism functions to include Indian tribes and tribal organizations in updated management plans and develop Native American tourism.

Anecdotally, we know the foreign tourists have a keen interest in our Indian history and culture. This bill will enable the collection of vital travel and tourism data and analysis and, importantly, increase integration of federal assets to Indian Country so they can advance their economic development goals and tribal sovereignty.

Indian Country is a mosaic with vibrant cultures and a rich assortment of languages and traditions. By promoting this vast array of authentic Native tourism assets, the United States can increase its ability to compete for international visitors seeking a uniquely American experience while ensuring that diverse Native communities contribute to, and benefit from, the economic benefits that travel affords.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from American Samoa (Mrs. RADEWAGEN) that the House suspend the rules and pass the bill, S. 1579.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

BETTER ON-LINE TICKET SALES ACT OF 2016

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5104) to prohibit, as an unfair and deceptive act or practice in commerce, the sale or use of certain software to circumvent control measures used by Internet ticket sellers to ensure equitable consumer access to tickets for any given event, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5104

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Better On-line Ticket Sales Act of 2016'' or the ''BOTS Act''.

SEC. 2. UNFAIR AND DECEPTIVE ACTS AND PRACTICES RELATING TO USE OF TICKET ACCESS CIRCUMVENTION SOFTWARE.

(a) SALE OF SOFTWARE.—It shall be unlawful for any person to sell or offer to sell, in commerce, any computer software, or part thereof, that—

(1) is primarily designed or produced for the purpose of circumventing a technological measure that limits purchases made via a computerized event ticketing system;

(2) has only limited commercially significant purpose or use other than to circumvent a technological measure that limits purchases made via a computerized event ticketing system; or

(3) is marketed by that person for use in circumventing a technological measure that limits purchases made via a computerized event ticketing system.

(b) USE OF SOFTWARE.—It shall be unlawful for any person to use any computer software, or part thereof, described in subsection (a) of this section, to purchase an event ticket via a computerized event ticketing system in violation of the system operator's posted limits on the sequence or number of transactions, frequency of transactions, or quantity of tickets purchased by a single user of the system, or on the geographic location of any transactions.

(c) RESALE OF TICKETS.—It shall be unlawful for any person to engage in the practice of reselling in commerce, event tickets acquired in violation of subsection (b) of this section if the person either—

(1) participated directly in or had the ability to control the conduct in violation of subsection (b); or

(2) knew or should have known that the event tickets were acquired in violation of subsection (b).

(d) DEFINITIONS.—As used in this section—

(1) the term ''computerized event ticketing system'' means a system of selling event tickets, in commerce, via an online interactive computer system that effectively limits the sequence or number of ticket purchase transactions, frequency of ticket purchase transactions, quantity of tickets purchased, or geographic location of any ticket purchase transactions;

(2) the term ''event ticket'' means a ticket entitling one or more individuals to attend, in person, one or more events to occur on specific dates, times, and geographic locations; and

(3) to ''circumvent a technological measure'' means to avoid, bypass, remove, deactivate, or impair a technological measure, without the authority of the computerized event ticketing system operator.

(e) RULE OF CONSTRUCTION.—Notwithstanding the prohibitions set forth in subsections (a) and (b), it shall not be unlawful under this section to create or use any computer software, or part thereof, to—

(1) investigate or further the enforcement or defense of any alleged violation of this section; or

(2) engage in research necessary to identify and analyze flaws and vulnerabilities of a computerized event ticketing system, if these research activities are conducted to advance the state of knowledge in the field of computer system security or to assist in the development of computer security products.

(f) ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.—A violation of subsection (a), (b), or (c) shall be treated as an unfair and deceptive act or practice in violation of a regulation issued under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(g) ENFORCEMENT BY STATES.—

(1) AUTHORIZATION.—Subject to paragraph (2), in any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely affected by a violation of subsection (a), (b), or (c), the attorney general of the State may, as parens patriae, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States to obtain appropriate relief.

(2) RIGHTS OF FEDERAL TRADE COMMISSION.—

(A) NOTICE TO FTC.—

(i) IN GENERAL.—Except as provided in clause (iii), the attorney general of a State shall notify the Federal Trade Commission in writing that the attorney general intends to bring a civil action under paragraph (1) before initiating the civil action against a person for a violation of subsection (a), (b), or (c).

(ii) CONTENTS.—The notification required by clause (i) with respect to a civil action shall include a copy of the complaint to be filed to initiate the civil action.

(iii) EXCEPTION.—If it is not feasible for the attorney general of a State to provide the notification required by clause (i) before initiating a civil action under paragraph (1), the attorney general shall notify the Commission immediately upon instituting the civil action.

(B) INTERVENTION BY THE FTC.—The Federal Trade Commission may—

(i) intervene in any civil action brought by the attorney general of a State under paragraph (1); and

(ii) upon intervening, be heard on all matters arising in the civil action, and file petitions for appeal of a decision in the civil action.

(3) PENDING ACTION BY THE FEDERAL TRADE COMMISSION.—If the Federal Trade Commission institutes a civil action or an administrative action with respect to a violation of subsection (a), (b), or (c), the attorney general of a State may

not, during the pendency of such action, bring a civil action under paragraph (1) against any defendant named in the complaint of the Commission for the violation with respect to which the Commission instituted such action.

The SPEAKER pro tempore (Mr. KELLY of Mississippi). Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentlewoman from Illinois (Ms. SCHAKOWSKY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, I rise today in support of several bipartisan bills that have resulted from the focus on the industries creating the jobs of tomorrow within the Subcommittee on Commerce, Manufacturing, and Trade.

In particular, we examined the Federal Trade Commission's oversight of and impact on innovation. We considered several bills to streamline the Federal Trade Commission's authority in emerging areas. These bills build on the Federal Trade Commission's work in overseeing the most cutting edge industries as well as threats to consumer protection presented, in part, by technological advances.

Mr. Speaker, the Federal Trade Commission has a good model for policing unfair and deceptive practices in economic sectors driven by emerging technology. We highlighted this in our Disrupters Series of hearings, focusing on new and game-changing technologies. The Federal Trade Commission operates under a flexible framework, and this session we sought to make improvements.

Before I get into the bills we consider today, I want to highlight H.R. 5510, the Federal Trade Commission Process and Transparency Reform Act, which would strengthen the Federal Trade Commission's model by ensuring it has the right tools, the right restraints, and, of course, transparency.

This legislation is the sum of several measures from a number of members of the subcommittee who each contributed some targeted reforms to ensure that the Federal Trade Commission continues to strike the right balance between mitigating consumer harm and fostering innovative products and services.

The Federal Trade Commission was last reauthorized in 1996, and the last time substantial changes were made to its broad authorities was 1994. A lot has changed in the tech-driven sectors under the Federal Trade Commission's purview since then, and H.R. 5510 would make small reforms to ensure that Federal law keeps up with the rest of the world.

Two of the four bills from my subcommittee we will consider today clarify the Federal Trade Commission's ability to stop certain practices that have taken advantage of consumers over the Internet.

One of our bills, the BOTS Act, H.R. 5104, is a targeted measure to ensure that consumers have fair access to tickets at reasonable prices. The Internet has created great opportunities for fans to engage with their favorite teams, their favorite performers, and their favorite artists; but ticket bots have detracted from these relationships and, in fact, thwarted the efforts to obtain event tickets at their intended prices. The BOTS Act is necessary to ensure that consumers reap the full benefits of having online access to event tickets. I thank Congresswoman BLACKBURN for her leadership in authoring this bill and pushing it forward through our subcommittee.

Another bill, H.R. 5111, would ensure that online consumer reviews are no longer subject to gag orders. Some bad actors have penalized consumers for giving their products or services a bad review. This is holding back progress and accountability; and our legislation, the Consumer Review Fairness Act, would help put a stop to it. Congressman LANCE is the author of this legislation, and I thank him for his work in making certain that this becomes law.

We also have before us H. Res. 847, a measure that recognizes the potential of the Internet of things. A national strategy is needed for the Internet of things. In order to reap the potentially enormous benefits of connected devices, we must ensure that the bureaucracy stays out of the way of innovation, stays out of the way of progress in the marketplace, but that the government is also using the technology to reduce costs to taxpayers.

Similarly, we are putting forward a resolution authored by Mr. KINZINGER of Illinois and Mr. CÁRDENAS, H. Res. 835. This measure recognizes the growing importance of advanced financial technology, what they call fintech. Fintech has driven forward the development of blockchain technologies, which are poised to revolutionize several economic sectors.

Blockchain technology may help solve problems related to transaction costs and is especially well suited to address security concerns in cyberspace.

□ 1700

In addition to the four bills from subcommittee, we will also be considering three bills from other subcommittees within Energy and Commerce. The Amateur Radio Parity Act would require the Federal Communications Commission to adopt rules that allow amateur radio operators to use their equipment in deed-restricted communities. The Advanced Nuclear Technology Development Act would provide certainty for scientists and industry that advance nuclear technologies that can be reviewed, licensed, and commercially deployed, helping the United States remain the world leader in nuclear technology development. Finally, the Sports Medicine Licensure Clarity Act would ensure doctors traveling with athletic teams across State borders are properly covered by malpractice insurance.

Again, I want to thank all Members of the subcommittee and the full committee who sponsored these measures and the stakeholders who helped us perfect them.

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

Ms. SCHAKOWSKY. Mr. Speaker, I rise today because this is a bipartisan day where we have a number of pieces of legislation we agreed to. I will talk about each of them, but I do want to say that I am a bit disappointed that my chairman decided to focus on a partisan bill on which there is a good deal of disagreement, H.R. 5510, the FTC Process and Transparency Reform Act. The bill, in the view of the Democrats, would undermine consumer protections at the FTC and it would make it harder for the FTC to take action in the case of noneconomic harm, like privacy violations, such as a 2012 cyber peeping case that we have been talking about. So I am hoping that we can, from now on, focus on bills that we, fortunately, do agree on and move them forward.

I am talking now about H.R. 5104, the Better On-line Ticket Sales Act, the BOTS Act, sponsored by MARSHA BLACKBURN. I thank Representative BLACKBURN for authoring the legislation and Representative TONKO for cosponsoring that legislation.

The legislation addresses a real problem in the ticket marketplace. Anyone who has tried to buy tickets, let's say, to Adele, Beyonce, or Hamilton knows how difficult it can be to buy online. The Chicago production of Hamilton, I'm sorry to say, sold out almost immediately when tickets were put on sale this summer, and that is not just because everybody was ahead of me online.

Ticket buyers are competing not only against other fans, but in many cases, they are up against sophisticated bots that buy up tickets to resell on the secondary market at a jacked-up price. The BOTS Act empowers the Federal Trade Commission to go after these bots, and I support that.

However, there is more we could do to help consumers in the ticket marketplace. Not only are tickets scooped up by bots, but a significant share of seats is held back for the artist, fan clubs, promotions, and other special groups. There is little transparency about what is actually being put up for general sale.

When you buy a ticket online, the first price you see is often not the price you end up paying. Service and convenience charges can surprise consumers, adding several dollars to the end price.

In subcommittee and full committee, we considered a Democratic amendment based on Congressman PASCRELL's BOSS Act to create more transparency on the price and availability of tickets. This would improve the overall environment for ticket buyers. The committee also considered, but did not adopt, an amendment to have the Government Accountability Office study the ticket market.

The ticket market has changed a lot in recent years, and more tickets are being sold in secondary markets online. Ticket sellers are experimenting with nontransferable tickets.

We need to better understand this market if we are going to adequately protect consumers. The BOTS Act will do some good to prevent tickets from being scooped up right away for resale.

I see this legislation as a first step, and I hope my colleagues across the aisle would agree. It is not the only improvement that we need to make to help ticket buyers.

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

Mr. BURGESS. Mr. Speaker, I yield 5 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), the author of this legislation.

Mrs. BLACKBURN. Mr. Speaker, I do rise today to support the Better Online Ticket Sales Act, H.R. 5104, or as you have heard it called today, the BOTS Act. It is bipartisan legislation. Mr. TONKO of New York has done a tremendous job working on this with me. Together, we have worked with the Senators to make certain that we have legislation that can be signed into law that will address a problem that so many of our constituents face. Now, we know it is not going to be something that does everything everyone would want, but we do know this is the first step in working with the FTC making certain that we address these bots.

The problem is this: we have some individuals or groups that deploy hacking software—it is called bots. Short for robots, of course—that launch thousands of simultaneous requests for tickets on a ticket site.

Now, I am certain many of us have tried to buy a ticket as soon as they go on sale, just as Ms. SCHAKOWSKY was talking about the performance of Hamilton. We see this a lot with concerts that are coming into Nashville. You go on. You log on. You want to buy that ticket for that sporting event or for that concert, and the bots overwhelm the site and cherry-pick the very best tickets. Then what do you find? You don't have the ability to purchase a ticket.

This has become so frustrating to consumers because they do plan to go on and they do plan to buy that ticket. The site just slows to a crawl, and then when they get through, the tickets are sold out.

This is something that has been very frustrating not only to consumers, but to artists, to entertainers, to fans of live entertainment, and to sports teams.

The artists and the teams often price tickets well below the highest possible price they might be able to get from the fans for any particular event. They do this as a way to invest in that long-term relationship with their fans.

The BOTS Act would make it an unfair and deceptive practice under the FTC Act to use a bot to violate both the terms and conditions of the ticketing site. Also, it creates a mechanism where the State Attorneys General can bring a cause of action against the botsters.

The BOTS Act will stop people from gaming the ticketing system, and it will increase access to events for fans of live entertainment.

Ms. SCHAKOWSKY. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Speaker, I rise in strong support of H.R. 5104, the Better On-line Ticket Sales Act, on which I joined in introducing with my colleague and friend from Tennessee, Mrs. BLACKBURN.

This bill would target the unfair practice of using software bots by scalpers to automate the process of purchasing event tickets from online vendor platforms.

As we saw at our legislative hearing on the matter in the Energy and Commerce Committee, the current lack of any Federal statute to deter the practice of using bots has turned the ticket industry in the United States into a rigged system.

For instance on December 8, 2014, a single broker used a bot to purchase over 1,000 tickets for a U2 concert at Madison Square Garden within the first minute of sale. By the end of that day, the same broker and one other had amassed more than 15,000 tickets to U2 shows across North America.

According to an exhaustive investigation by New York State Attorney General Eric Schneiderman, tickets purchased in this manner are then resold on secondary markets at an average of 49 percent above face value, though there are plenty of examples where the markup was more than 1,000 percent.

The people in the capital region of New York and across the rest of our great country worked far too hard to save money enough to see a performance or a game. They should not be shut out from buying tickets online at a reasonable price because a computer program beats them to the punch.

By following the example set by States like New York where unlawful ticket brokers have had to pay stiff penalties for their given actions, we can start to reel in these unfair practices and make sure that Americans have the access to events that they truly deserve.

The BOTS Act expands upon the work of these States by prohibiting the intentional use or the sale of bots software and by barring any tickets acquired in this manner from entry into an event.

This legislation would also establish civil penalties for this behavior on a national level, instructing the FTC or the Attorney General of a State to bring civil action against any persons found in violation.

There is clearly a great deal more that can be done to protect consumers and bring more transparency to the ticket market, but I do believe the BOTS Act represents an excellent step in the right direction for bringing accountability and trust to this industry.

I thank my colleague, Mrs. BLACKBURN, for her hard work on this measure. We have enjoyed working together to come together with this bill, and look forward to continued progress.

I encourage my colleagues to support the measure.

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

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

Well, as I said earlier, the BOTS Act is a positive step to improve the ticket market. Today we will advance this bill on a bipartisan basis, which is always good; but I certainly do hope we can work together on further changes to increase transparency and fairness for ticket buyers.

I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

I urge our colleagues to support this important legislation. I thank the gentlewoman from Tennessee for bringing it forward. I thank the members of the subcommittee for helping us get it to the floor, and I urge adoption of the bill.

I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 5104, the Better Online Ticket Sales Act, and to discuss what it means for consumers.

Congresswoman BLACKBURN introduced this legislation to combat an issue that many of us are probably very familiar with if you attend entertainment events. Too often, consumers are left in the dust as outside groups take advantage of the system and buy up tickets in large blocks. This results in fans not having access to those events or having to pay more to purchase tickets from a third party vendor. This harms the industry and fans looking to enjoy it on their free time.

Under this bill, software that enables this circumvention of those checks would be prohibited from being sold and tickets purchased in this manner would also be prohibited from being sold. The FTC would enforce these new requirements and people who were affected by these profiteering ventures would be able to bring a civil suit. For too long, these organization and individuals have sidestepped the system with the fan being the one that is most impacted.

Congresswoman BLACKBURN's legislation would overhaul this broken system and punish those who are unwilling to play by the rules. I applaud her work on this issue and the work of the Energy and Commerce Committee to rein in these actions and urge passage of this important legislation.

Mr. UPTON. Mr. Speaker, today I rise in support of seven bipartisan bills originating out

of four of our subcommittees that are direct evidence of a very busy and productive session in the Energy and Commerce Committee.

This package includes several measures that protect consumers and set Congress' sights forward to fostering next-generation technological development.

We will consider a measure introduced by Full Committee Vice Chairman BLACKBURN, to enhance penalties for the use of automated ticket scalping software. For too long, consumers have been gouged, as scalpers have used software to buy large numbers of event tickets—oftentimes preventing consumers from purchasing them at face value and then charging a 1,000 percent markup to resell those same tickets This thoughtful legislation, the BOTS Act, is a targeted measure to prevent this practice and to ensure that consumers have fair access to tickets at reasonable prices.

We will also consider a measure authored by Mr. LANCE, along with Mr. KENNEDY, to ensure that online consumer reviews are no longer subject to gag orders—a practice ultimately affecting consumers as it hinders transparency and accountability in product reviews. Our legislation, the Consumer Review Fairness Act, does what it says and will help put a stop to this bad practice.

We will also consider a resolution that makes some important findings with respect to the Internet of Things. Back home in Michigan, folks are turning to smart devices to improve their access to health care, education, transportation, and other services that simplify their lives. This resolution sets forth Congress' unified belief that innovation in this space must be allowed to flourish and that the government must also take advantage of technology.

Similarly, we are putting forward a resolution authored by committee members Mr. KINZINGER and Mr. CÁRDENAS that encourages a unified strategy around advanced financial technologies. The FinTech industry has changed how consumers engage in commerce and control their financial information as it lowers cost and increases financial access worldwide. This chamber's support for consumer empowerment through innovation is solidified with this resolution.

On the Health front, today we are also considering Mr. GUTHRIE's Sports Medicine Licensure Clarity Act. H.R. 921 would ensure that team doctors, trainers, and other licensed health care professionals are covered by their malpractice insurance when providing care to their athletes outside of their primary state.

We will also vote on Mr. KINZINGER's H.R. 1301, which originated out of the Communications and Technology subcommittee, and will ensure amateur radio operators are not prohibited from pursuing their passion simply because they live in a deed-restricted community. Amateur radio plays an important role in emergency response, often able to establish communication in disaster areas when traditional communications networks fail. I urge my colleagues to support this common-sense bill.

Last, but certainly not least, we will consider a measure from Rep. BOB LATTA to help provide certainty for innovators and entrepreneurs who are seeking to develop and license the next generation of nuclear technologies. These technologies may provide breakthroughs in safety and efficiency over the technology in use today. We should ensure that the Nuclear Regulatory Commission has the expertise and resources to review and license the latest in advanced reactor technologies and this bill would do just that.

Individually, each of these bills are important but taken together they are evidence of the fine, bipartisan lawmaking that has come to define this committee, and further evidence of our ongoing bipartisan record of success.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 5104, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CONSUMER REVIEW FAIRNESS ACT OF 2016

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5111) to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5111

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Consumer Review Fairness Act of 2016''.

SEC. 2. CONSUMER REVIEW PROTECTION.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(2) COVERED COMMUNICATION.—The term ''covered communication'' means a written, oral, or pictorial review, performance assessment of, or other similar analysis of, including by electronic means, the goods, services, or conduct of a person by an individual who is party to a form contract with respect to which such person is also a party.

(3) FORM CONTRACT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''form contract'' means a contract with standardized terms—

(i) used by a person in the course of selling or leasing the person's goods or services; and

(ii) imposed on an individual without a meaningful opportunity for such individual to negotiate the standardized terms.

(B) EXCEPTION.—The term ''form contract'' does not include an employer-employee or independent contractor contract.

(4) PICTORIAL.—The term ''pictorial'' includes pictures, photographs, video, illustrations, and symbols.

(b) INVALIDITY OF CONTRACTS THAT IMPEDE CONSUMER REVIEWS.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), a provision of a form contract is void from the inception of such contract if such provision—

(A) prohibits or restricts the ability of an individual who is a party to the form contract to engage in a covered communication;

(B) imposes a penalty or fee against an individual who is a party to the form contract for engaging in a covered communication; or

(C) transfers or requires an individual who is a party to the form contract to transfer to any person any intellectual property rights in review or feedback content, with the exception of a non-exclusive license to use the content, that the individual may have in any otherwise lawful covered communication about such person or the goods or services provided by such person.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to affect—

(A) any duty of confidentiality imposed by law (including agency guidance);

(B) any civil cause of action for defamation, libel, or slander, or any similar cause of action;

(C) any party's right to remove or refuse to display publicly on an Internet website or webpage owned, operated, or otherwise controlled by such party any content of a covered communication that—

(i) contains the personal information or likeness of another person, or is libelous, harassing, abusive, obscene, vulgar, sexually explicit, or is inappropriate with respect to race, gender, sexuality, ethnicity, or other intrinsic characteristic;

(ii) is unrelated to the goods or services offered by or available at such party's Internet website or webpage; or

(iii) is clearly false or misleading; or

(D) a party's right to establish terms and conditions with respect to the creation of photographs or video of such party's property when those photographs or video are created by an employee or independent contractor of a commercial entity and solely intended for commercial purposes by that entity.

(3) EXCEPTIONS.—Paragraph (1) shall not apply to the extent that a provision of a form contract prohibits disclosure or submission of, or reserves the right of a person or business that hosts online consumer reviews or comments to remove—

(A) trade secrets or commercial or financial information obtained from a person and considered privileged or confidential;

(B) personnel and medical files and similar information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(C) records or information compiled for law enforcement purposes, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(D) content that is unlawful or otherwise meets the requirements of paragraph (2)(C); or

(E) content that contains any computer viruses, worms, or other potentially damaging computer code, processes, programs, applications, or files.

(c) PROHIBITION.—It shall be unlawful for a person to offer a form contract containing a provision described as void in subsection (b).

(d) ENFORCEMENT BY COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of subsection (c) by a person with respect to which the Commission is empowered under section 5(a)(2) of the Federal Trade Commission Act (15 U.S.C. 45(a)(2)) shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF COMMISSION.—

(A) IN GENERAL.—The Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act.

(B) PRIVILEGES AND IMMUNITIES.—Any person who violates this section shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(e) ENFORCEMENT BY STATES.—

(1) AUTHORIZATION.—Subject to paragraph (2), in any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely affected by the engagement of

any person subject to subsection (c) in a practice that violates such subsection, the attorney general of the State may, as parens patriae, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States to obtain appropriate relief.

(2) RIGHTS OF FEDERAL TRADE COMMISSION.—

(A) NOTICE TO FEDERAL TRADE COMMISSION.—

(i) IN GENERAL.—Except as provided in clause (iii), the attorney general of a State shall notify the Commission in writing that the attorney general intends to bring a civil action under paragraph (1) before initiating the civil action against a person described in subsection (d)(1).

(ii) CONTENTS.—The notification required by clause (i) with respect to a civil action shall include a copy of the complaint to be filed to initiate the civil action.

(iii) EXCEPTION.—If it is not feasible for the attorney general of a State to provide the notification required by clause (i) before initiating a civil action under paragraph (1), the attorney general shall notify the Commission immediately upon instituting the civil action.

(B) INTERVENTION BY FEDERAL TRADE COMMISSION.—The Commission may—

(i) intervene in any civil action brought by the attorney general of a State under paragraph (1) against a person described in subsection (d)(1); and

(ii) upon intervening—

(I) be heard on all matters arising in the civil action; and

(II) file petitions for appeal of a decision in the civil action.

(3) INVESTIGATORY POWERS.—Nothing in this subsection may be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State to conduct investigations, to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary or other evidence.

(4) PREEMPTIVE ACTION BY FEDERAL TRADE COMMISSION.—If the Federal Trade Commission institutes a civil action or an administrative action with respect to a violation of subsection (c), the attorney general of a State may not, during the pendency of such action, bring a civil action under paragraph (1) against any defendant named in the complaint of the Commission for the violation with respect to which the Commission instituted such action.

(5) VENUE; SERVICE OF PROCESS.—

(A) VENUE.—Any action brought under paragraph (1) may be brought in—

(i) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(ii) another court of competent jurisdiction.

(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) may be found.

(6) ACTIONS BY OTHER STATE OFFICIALS.—

(A) IN GENERAL.—In addition to civil actions brought by attorneys general under paragraph (1), any other consumer protection officer of a State who is authorized by the State to do so may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) SAVINGS PROVISION.—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

(f) EDUCATION AND OUTREACH FOR BUSINESSES.—Not later than 60 days after the date of the enactment of this Act, the Commission shall commence conducting education and outreach that provides businesses with non-binding best practices for compliance with this Act.

(g) RELATION TO STATE CAUSES OF ACTION.—Nothing in this section shall be construed to affect any cause of action brought by a person that exists or may exist under State law.

(h) SAVINGS PROVISION.—Nothing in this section shall be construed to limit, impair, or supersede the operation of the Federal Trade Commission Act or any other provision of Federal law.

(i) EFFECTIVE DATES.—This section shall take effect on the date of the enactment of this Act, except that—

(1) subsections (b) and (c) shall apply with respect to contracts in effect on or after the date that is 90 days after the date of the enactment of this Act; and

(2) subsections (d) and (e) shall apply with respect to contracts in effect on or after the date that is 1 year after the date of the enactment of this Act.

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

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on the bill in the RECORD.

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

There was no objection.

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

Mr. Speaker, one of the most important aspects of an efficient market is the free flow of information to consumers. The Internet has added hundreds of billions of dollars to the economy, and much of this is due to the ready access that it affords consumers and businesses access to information.

Government officials spend a lot of time worrying about how to ensure that the independent information sources about product and service qualities are available. So the truly great thing about consumer reviews is that, as long as they are reliable sources of information, they are made available at no cost to the consumer or to the taxpayer.

□ 1715

But this benefit is in trouble if we allow businesses to prevent information from ever becoming public. Many of us might hesitate before we give that negative review. Others might be eager to let everyone know just how bad their brunch was, but it probably never crosses anyone's mind that they could be fined if they tell the truth. After all, Americans are used to our freedom of speech.

In one extreme example brought to us by TripAdvisor, travelers were subjected to a $5 million fine if any ''actual opinions and/or publications are created which, at the sole opinion of the businessowner tends directly to injure him in respect to his trade or business . . . ''

Now, this is clearly designed to frighten those who read it and frighten them into silence, and those who don't see it might be surprised to hear from a collection agency asking for $5 million after posting a negative review.

The Consumer Review Fairness Act outlaws these gag orders. The prohibition is narrowly tailored to only those contracts where there is no opportunity for meaningful negotiations between the consumer and the business. In other words, it only applies to true form contracts. And the bill doesn't interfere with Web site operators' ability to manage the contacts and reviews on their own Web sites. Reasonable management of online reviews is necessary to ensure that they convey useful information as opposed to irrelevant or offensive content.

Mr. Speaker, I urge my colleagues to support free speech and support the passage of H.R. 5111.

I reserve the balance of my time.

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

I want to thank Mr. LANCE and Mr. KENNEDY for cosponsoring this bill, and I am pleased to join my colleague in support of H.R. 5111, the Consumer Review Fairness Act. This bill protects consumers' ability to provide honest reviews of products and services.

Chairman BURGESS is right in saying that if you get a notice that you now owe $5 million probably just about for anything, you would be surprised; but if it was because you said something truthful based on your experience about a business, that would be particularly egregious.

Lots of mothers have told their children, ''If you don't have something nice to say, say nothing at all,'' but the current practice now takes that way too far.

Businesses have snuck so-called nondisparagement clauses in terms of service agreements, and consumers don't really have a choice when it comes to those form contracts. In fact, they often don't realize they have just given up their right to speak openly about a bad experience. Imagine hiding language in form contracts to stop a bad Yelp review, for example.

For instance, a hotel in New York included a line in its guest policy that customers could be fined $500 for leaving a bad review online. It seems ridiculous to me that a company would punish a consumer who wants to air complaints, particularly since hotel prices in New York are high enough already, and now you could be slapped with a fine for saying the service wasn't up to par.

This bill would put a stop to that anticonsumer practice. It would stop nondisparagement clauses from being placed in form contracts. Consumers should be able to voice their criticisms, and allowing reviews can help other consumers make informed choices. I look at those. The Consumer Review Fairness Act protects consumer speech, and I look forward to passing this legislation.

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

Mr. BURGESS. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from New Jersey (Mr. LANCE), the author of the bill and vice chairman of the subcommittee.

Mr. LANCE. Mr. Speaker, I am pleased to offer this consumer protection measure along with my cosponsor, the gentleman from Massachusetts (Mr. KENNEDY).

The Consumer Review Fairness Act allows Americans to exercise their First Amendment rights regarding consumer experiences without fear of retribution. This issue comes right from the heart of the 21st century economy. It is easier than ever for consumers to make informed choices on which business or service to use by consulting Web sites and apps that publish crowdsourced reviews of local businesses and restaurants.

Consumer reviews are a powerful informational tool because consumers place a high value on the truthful reviews of other consumers. The trouble is that a number of businesses have become frustrated by online criticism and some have employed the questionable legal remedy known as nondisparagement clauses to retaliate against consumers. These are often buried in fine print, fine print that even these glasses couldn't discern.

The Consumer Review Fairness Act would void any nondisparagement clause in consumer contracts if that clause restricts consumers from publicly reviewing products or businesses accurately and would give the Federal Trade Commission the tools it needs to take action against businesses that insert these provisions into their contracts. It also would ensure companies are still able to remove false and defamatory reviews. And so it is narrowly tailored, but it is fairly tailored.

A few months ago I visited Bovella's Pastry Shoppe in Westfield, New Jersey, in the district I serve here. Bovella's has the highest Yelp review of any bakery in that part of New Jersey. The good people at that bakery have earned reviews from their hard work and excellent consumer service. They get a lot of business from people who turn to Yelp for insight on the best bakery in town. This crowdsourcing system thrives because of its integrity. People trust it. Bad actors who bully consumers are ruining the system that helps small businesses across this country.

I want to thank Chairman UPTON and Ranking Member PALLONE and Dr. BURGESS and Ranking Member SCHAKOWSKY for their leadership in moving this forward. I certainly thank my cosponsor, the gentleman from Massachusetts (Mr. KENNEDY). I thank the entire Committee on Energy and Commerce staff and the subcommittee staff on both sides of the aisle for their hard work on this legislation.

This will protect the consuming public in a way that is really what we are trying to do in the 21st century because so much of what we do is based upon the Internet, based upon apps, and it is important that this Congress make sure that we are up to date in this regard. Please, let's pass this bill to the benefit of online consumers.

Ms. SCHAKOWSKY. Mr. Speaker, it is now my pleasure to yield such time as he may consume to the gentleman from Massachusetts (Mr. KENNEDY), the cosponsor of this consumer-friendly legislation.

Mr. KENNEDY. Mr. Speaker, I thank the gentlewoman from Illinois (Ms. SCHAKOWSKY), my colleague, for yielding and for her leadership on the Subcommittee on Commerce, Manufacturing, and Trade. Her efforts in fighting for consumer protection rights and privacy, including her support for this bill, are tireless.

Mr. Speaker, I rise today in strong support of H.R. 5111, the Consumer Review Fairness Act of 2016. The Consumer Review Fairness Act is a solution to a problem consumers across America are facing. In an unjust effort to stop consumers from posting honest reviews online, some businesses have resorted to hidden contract clauses prohibiting any negative feedback for a product, service, or experience. These so-called nondisparagement clauses allow companies to sue reviewers simply for posting their candid opinions online. This is a problem I have heard about firsthand from a major company in my district, Mr. Speaker, TripAdvisor, whose members depend on an open, honest, and fair online forum.

Like every American, those members have an undeniable right to voice their concerns when an experience or product fails to meet their expectations. Secret nondisparagement clauses limit our free speech and subject unsuspecting individuals to crippling lawsuits from businesses desperately trying to preserve their own reputation.

The Consumer Review Fairness Act makes these clauses illegal and voids any contract that contains a nondisparagement clause. It would allow the Federal Trade Commission to enforce the law and take action against any business that inserts these provisions into their contracts.

Importantly, Mr. Speaker, this bill preserves the rights of businessowners to take action against untruthful or dishonest reviews. Businesses still have a right to ensure that no confidential information is unfairly posted and may seek recourse in cases of defamation, libel, or slander.

I think it is fair to say that most of us in this Chamber today have looked at a consumer review prior to purchasing a product or service. In some way or another, we have relied at least some or in part on those reviews, both good and bad. If consumers want to post a truthful review online, they should not fear retribution just because their review is negative.

Mr. Speaker, there are several more people I would like to thank, including, of course, the gentleman from New Jersey (Mr. LANCE) for his leadership and partnership in this effort; the subcommittee chair, Mr. BURGESS, and his staff; Chairman UPTON; Ranking Member PALLONE; and, as I said, the ranking member of the subcommittee, Ms. SCHAKOWSKY. I would like to thank also my good friend, ERIC SWALWELL, who has led legislative efforts on this issue for years. Lastly, and certainly not least, Mr. Speaker, I would like to extend my gratitude to the majority and minority staff of the Committee on Energy and Commerce for their hard work and engaging in good faith discussion to help get this bill to the floor today.

I urge my colleagues to support H.R. 5111.

Mr. BURGESS. Mr. Speaker, I advise the minority that we have no additional speakers. I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself the balance of my time.

The Consumer Review Fairness Act is a step forward not only for protecting consumers' speech, but for, really, the millions of consumers who rely on the reviews, the opinions of others, and believe that you get a fair mix of reviews, good and bad, that will enable you to make better purchasing decisions.

This bill passed on a bipartisan basis through both the subcommittee and full committee, and I look forward to passing it today. I want to thank all those who were involved in making this happen.

Mr. Speaker, I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge my colleagues to support free speech and support the passage of H.R. 5111.

I yield back the balance of my time.

Mr. SWALWELL of California. Mr. Speaker, I rise in strong support of H.R. 5111, the Consumer Review Fairness Act of 2016.

One of the most amazing aspects of the Internet is its ability to allow for the sharing of information, and consumers often rely on the reviews of others to make purchasing decisions. This system only works if consumers have access to all information available from across the nation, including both positive and negative reviews. We simply cannot allow companies to bully or attempt to silence customers who want to offer negative but honest assessments of products or services.

I was outraged when I first heard last Congress that companies were doing exactly that, using buried contractual terms, known as nondisparagement clauses, to try to block or punish customers for writing negative reviews online. To end this practice I introduced H.R. 5499, the Consumer Review Freedom Act of 2014, a narrow bill designed to outlaw nondisparagement clauses and empower the government to stop companies from using them while maintaining the ability of businesses to sue for traditional defamation. This Congress, Representative Darrell Issa and I introduced a bipartisan version of this legislation.

Today the House is considering H.R. 5111, very similar to our Consumer Review Freedom

Act but with some improvements. I want to thank Representatives Leonard Lance and Joe Kennedy for introducing this legislation and working diligently to move it forward. The Senate has already passed essentially the same bill, and so I hope once the House acts today the Senate can quickly pass H.R. 5111 and send it to the President's desk for his signature. This will be an important step in protecting a vital source of information for consumers across the country.

I urge my colleagues to vote in favor of H.R. 5111.

Mr. CARTER of Georgia, Mr. Speaker, I rise today in support of H.R. 5111, the Consumer Review Fairness Act, which would protect consumers' First Amendment right to share their experiences with a product or service online. Millions of Americans go online every day to read candid experiences from like-minded consumers, and many also share their reviews on everything from restaurants to clothing to hotels and services.

American consumers should feel confident in providing honest reviews, as the First Amendment protects their right to express their opinions. As a former small business owner, I know that listening to customer feedback is crucial for success, and that constructive criticism is sometimes more helpful than praise. Unfortunately, some businesses have found ways to bully consumers with costly penalties and lawsuits in an effort to hide negative reviews. Instead of trying to improve their own practices, these bad actors are taking their mistakes out on their own customers.

The Consumer Review Fairness Act would stop this unethical practice by prohibiting businesses from penalizing consumers for sharing a review they don't agree with. Our modern day economy is dependent on the free flow of information, and this bill will ensure consumers' rights to openly review products and services are not infringed upon.

I would like to thank my colleagues for introducing this important bill, and I urge my colleagues to support it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 5111, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF THE HOUSE ABOUT A NATIONAL STRATEGY FOR THE INTERNET OF THINGS

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 847) expressing the sense of the House of Representatives about a national strategy for the Internet of Things to promote economic growth and consumer empowerment.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 847

Whereas the Internet of Things currently connects tens of billions of devices worldwide and has the potential to generate trillions of dollars in economic opportunity;

Whereas increased connectivity can empower consumers in nearly every aspect of their daily lives, including in the fields of agriculture, education, energy, healthcare, public safety, security, and transportation, to name just a few;

Whereas businesses across the economy can simplify logistics, cut costs in supply chains, and pass savings on to consumers because of the Internet of Things and innovations derived from it;

Whereas the Internet of Things, through augmented data collection and process analyses, optimizes energy consumption by increasing energy efficiency and reducing usage and demand;

Whereas the United States should strive to be a world leader in smart cities and smart infrastructure to ensure its citizens and businesses, in both rural and urban parts of the country, have access to the safest and most resilient communities in the world;

Whereas the United States is the world leader in developing the Internet of Things technology, and with a national strategy guiding both public and private entities, the United States will continue to produce breakthrough technologies and lead the world in innovation;

Whereas the evolution of the Internet of Things is a nascent market, the future direction of which holds much promise;

Whereas businesses should implement reasonable privacy and cybersecurity practices and protect consumers' personal information to increase confidence, trust, and acceptance of this emerging market;

Whereas the Internet of Things represents a wide range of technologies, in numerous industry sectors and overseen by various governmental entities; and

Whereas coordination between all stakeholders of the Internet of Things on relevant developments, impediments, and achievements is a vital ingredient to the continued advancement of pioneering technology: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the United States should develop a national strategy to encourage the development of the Internet of Things in a way that maximizes the promise connected technologies hold to empower consumers, foster future economic growth, and improve the Nation's collective social well-being;

(2) the United States should prioritize accelerating the development and deployment of the Internet of Things in a way that recognizes its benefits, allows for future innovation, and responsibly protects against misuse;

(3) the United States should recognize the important role that businesses play in the future development of the Internet of Things and engage in inclusive dialogue with industry and work cooperatively wherever possible;

(4) the United States Government should determine if using the Internet of Things can improve Government efficiency and effectiveness and cut waste, fraud, and abuse; and

(5) using the Internet of Things, innovators in the United States should commit to improving the quality of life for future generations by developing safe, new technologies aimed at tackling the most challenging societal issues facing the world.

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

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the resolution.

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

There was no objection.

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

Mr. Speaker, I rise in support of H. Res. 847, the Internet of things, kind of a novel concept. The Internet of things represents a significant opportunity for economic growth and for innovation. It represents an opportunity for job creation across virtually every industry and every sector in the United States. The integration of the Internet and networked sensors into physical objects and things creates opportunities for new conveniences, creates opportunities for increased productivity, and substantial efficiency gains throughout our economy. According to McKinsey & Company, the Internet of things has a potential economic impact of $4 trillion to $11 trillion by the year 2025.

□ 1730

As the technology develops and matures, Internet connectivity is capturing more than just objects and traditional household items such as refrigerators, thermostats, and televisions. Today, Internet connectivity is being integrated into industrial processes, transportation routes, workforce practices, supply chain logistics, city operations, and much more. These advancements have been particularly beneficial to the manufacturing sector, where they are enabling greater workplace productivity, factory floor efficiency, and enhanced employee safety.

As a physician who has served people in north Texas for over 25 years before I came to Congress, I see great potential for the Internet of things, particularly in the healthcare space. Internet-connected devices, machines, and applications are creating opportunities for better quality and more efficient care. In addition to providing these benefits, connected healthcare devices help reduce healthcare costs and other health-related expenses that have long been a drag on our economy and on consumers' wallets.

In recognizing the potential for the Internet of things, H. Res. 847 establishes our commitment to realizing that potential through strategic investments that ensure that the Internet of things becomes the engine for job creation, innovation, and economic growth that it promises to be.

Through a national strategy, stakeholders can engage in a more collaborative discussion and resources can be used more effectively, more efficiently to foster the future development of the Internet of things market.

Importantly, a national strategy will foster more consumer confidence, more

consumer trust, and more consumer acceptance in the Internet of things. This, in turn, will drive greater adoption, additional growth opportunities, and societal benefits.

I thank Vice Chairman LANCE for his leadership on this important issue.

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

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

Let me congratulate Mr. LANCE, Mr. WELCH, Mr. LATTA, and Congresswoman CLARKE for their work on this important legislation.

The Internet of things is an area of great innovation that deserves attention from Congress. And fortunately, in our subcommittee, we have done just that.

Today, people track their physical activity with wearable devices. We have thermostats in our home that you can control from your phone from anywhere in the world. And that is, of course, only scratching the surface of consumer products that are right now available.

We have been examining some of the issues related to the Internet of things in the Commerce, Manufacturing, and Trade Subcommittee. One thing is clear to me: technology is moving at a rapid pace, and our laws need to keep pace. I support developing a Federal strategy for how we approach this exciting area of technology.

I would like to underscore a few key principles that must be a part of this approach: one, data security must be protected; two, Americans should understand and consent to the information that consumer devices are collecting; three, these products should be developed with safety in mind.

Agencies like the Federal Trade Commission and Consumer Product Safety Commission already work to promote data security, consumer privacy, and safety. But Congress needs to make sure we provide these agencies the resources and authorities necessary to address today's issues.

I look forward to working with my colleagues to promote innovation in this space and to ensure that the Internet of things further develops in a manner that works for business as well as consumers.

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

Mr. BURGESS. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. LANCE), the author of this legislation, vice chairman of the Subcommittee on Commerce, Manufacturing, and Trade.

Mr. LANCE. Mr. Speaker, I have never been prouder of the Commerce, Manufacturing, and Trade Subcommittee than I am on this issue. I congratulate Chairman BURGESS and Ranking Member SCHAKOWSKY for their leadership on this issue, and certainly Mr. WELCH for his leadership as well.

I offer this resolution to highlight the importance of the Internet of things, also known as the Internet of everything. The Internet of things is the network of sensors and electronics in physical objects, ranging from household appliances, such as thermostats to manufacturing equipment.

The Internet of things currently connects tens of billions of devices worldwide and assists consumers in nearly every aspect of their daily lives, including in the field of agriculture, education, energy, health care, public safety, security, and transportation, among many others. The lives of nearly every American are run more efficiently thanks to the Internet of things and the great advances in innovation here in the 21st century.

Our role in Congress should be to help make the Internet of things thrive, to facilitate a Federal support system that empowers exciting new ideas. Ideas such as the 5G radio by Nokia Bell Labs in Murray Hill—Nokia has taken over Bell Labs, but, of course, Bell Labs is fabled in the history of this country and had been so for many, many years—the Smart Cities initiative by Qualcomm in Bridgewater—also in the district I represent—and Verizon in Basking Ridge are helping towns and cities maintain high standards of livability, resiliency, and sustainability by using IOT technology to help city planners create better qualities of life.

Of course, as Chairman BURGESS has indicated, healthcare applications in this area are very promising. They are patient centered and they are economically beneficial. This will be beneficial not only to patients but, of course, to the Medicare and Medicaid programs as well.

According to the management consulting firm McKinsey & Company, the Internet of things has the potential to contribute anywhere from $4 trillion to $11 trillion to the economy over the course of the next several decades—this is an enormous increase—based upon innovation here in the 21st century.

The resolution expresses the current and potential future benefits of the Internet of things. I hope that it will put Congress on record in working for its growth and success.

This is really at the heart of what we should be doing in Congress in a bipartisan capacity: getting ahead of the curve on the future of technology in the United States, as the United States, we all hope, will continue to be the leader worldwide in this and other matters. That is why the Internet of things is so important. That is why I am so pleased to be involved with others in this issue.

Mr. Speaker, I hope that this, of course, will pass unanimously, and I hope that it will be a harbinger for what we should doing in Congress in so many other areas as well.

Ms. SCHAKOWSKY. Mr. Speaker, I yield such time as he may consume to the gentleman from Vermont (Mr. WELCH), a cosponsor and coauthor of this legislation, as well as my good friend.

Mr. WELCH. I appreciate the gentlewoman's leadership and, by the way, for her fierce leadership on consumer rights for the bill that just passed. I thank my colleagues, Mr. BURGESS and Mr. LANCE, whom I really appreciate, and, of course, the committee chair, FRED UPTON, and Ranking Member FRANK PALLONE.

Mr. Speaker, you would be glad to know that we work pretty hard to be bipartisan and productive in the Energy and Commerce Committee. It takes a good deal of effort on both sides.

This legislation is really an acknowledgement about this new technology—the application of the Internet to activities that are cutting across the entire economy, everything from agriculture to medicine—and it is an acknowledgment by Congress that this is a private sector-led, entrepreneurial-led range of opportunities that has the potential to increase efficiency and productivity.

For instance, on farms you have GPS planting done by GPS-guided tractors. It results in much better planting with fewer seeds. It saves money and increases crop yields.

In medicine, as you know, telemedicine is being tremendously helpful to folks, like in Vermont, where we are a very rural State and it is tough for folks to make a 60-, 70-mile journey to the VA. With telemedicine, we are able to have the doctor in that person's local office. So it is a tremendous benefit to consumers there as well.

The other thing that is really important is that, for this to be deployed, it is not a matter of us trying to come up with a regulation. The innovations that are occurring are so rapid that it really would be impossible for anybody to write a regulation that would be anything but obstructive.

On the other hand, with Congress getting involved, there are going to be, as we go along, some issues of privacy and some issues of cybersecurity. When it comes to health records, all of us are going to be certain that those records are safe and private. When it comes to other things, like if somebody hacks into your Fitbit and finds out how many steps you took in a day, it is not such a big deal.

But this is where Congress is going to have to play a role, because industry is going to want to be certain that the rights of their consumers and the users of their products are being protected and their information is private and safe.

So we are acknowledging, as a Congress, Republicans and Democrats, that there is this new frontier with use of the Internet where entrepreneurs in the private sector are coming up with applications that can improve efficiency and productivity in almost every walk of life.

One of the ongoing challenges in our committee will be to make certain that the broadband infrastructure that

is required in order to make this benefit available to folks in rural America is built out properly.

I have been working very closely with BOB LATTA of Ohio, who has a big rural district, to try to make certain that we have a commitment in the technology space for broadband deployment all across America. It makes a huge difference in rural communities in our State of Vermont and BOB LATTA's district in Ohio, where, if you have somebody who has got a good idea in a business, if they are in a small town with a population of a couple hundred people, as long as they have high-speed Internet, they are going to be able to take advantage of this.

So it is a pleasure, I think, for all of us to find something that we agree on that is substantive and is important. I thank all the folks who have had a hand in bringing us here to this moment where we are going to have an opportunity to vote on this resolution.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I will close with this. The language of this resolution is very clear. It is the sense of the House of Representatives: ''the United States should develop a national strategy to encourage the development of the Internet of things in a way that maximizes the promise connected technologies hold to empower consumers, foster future economic growth, and improve the Nation's collective social well-being.''

So, with passing this resolution, we are setting the table for future work to make sure that we encourage these developments.

I want to thank so much all the sponsors and our chairmen of the subcommittee and full committee.

Mr. Speaker, I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

I thank Vice Chairman LANCE for his leadership on this important issue, and I urge an ''aye'' vote on the resolution.

Mr. Speaker, I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H. Res. 847, which would express the sense of the House of Representatives about a national strategy for the Internet of Things.

We are truly living in the internet age, and new technologies are developing each day. High performing mobile devices and cloud technologies that seemed so new are already commonplace in the business world and at home.

Broadband internet access is expanding into communities across the nation, and it is more affordable than ever. As innovators add internet connectivity to an increasing number of ordinary objects, we need to be thinking ahead to the next big thing.

H. Res. 847 expresses the sense that we need to encourage innovation and development of these technologies through cooperation with industry and consumers. It is also important to look ahead to how the Internet of Things can be used to improve the efficiency of our government and reduce waste and abuse.

By preparing for these technologies now, our nation will enjoy greater benefits in the future. I urge my colleagues to support this resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and agree to the resolution, H. Res. 847.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1745

EXPRESSING THE SENSE OF THE HOUSE REGARDING A NATIONAL POLICY FOR TECHNOLOGY TO PROMOTE CONSUMERS' ACCESS TO FINANCIAL TOOLS AND ONLINE COMMERCE

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 835) expressing the sense of the House of Representatives that the United States should adopt a national policy for technology to promote consumers' access to financial tools and online commerce to promote economic growth and consumer empowerment.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 835

Whereas technology solutions have the potential to improve consumers' ability to control their economic well-being, to encourage their financial literacy, and improve their knowledge base and increase their options to manage their finances and engage in commerce;

Whereas new payment methods and new payment strategies reflect new commercial opportunities;

Whereas the United States is the world leader in software development and technology creation;

Whereas financial technology is creating new opportunities for the 24,800,000 underbanked households in the United States;

Whereas the growth of consumers' use of mobile devices and the deployment of broadband access has supported the growth of financial technology products and services outside of traditional products and services offered by banks and other financial institutions in the United States increasing commerce and job growth;

Whereas identity theft is a rising concern for people in the United States as their personal information is targeted by criminal enterprises for monetization on the black market;

Whereas cyberattacks against domestic and international financial institutions and cooperatives continue;

Whereas emerging payment options, including alternative non-fiat currencies, are leveraging technology to improve security through increased transparency and verifiable trust mechanisms to supplant decades old payment technology deployed by traditional financial institutions; and

Whereas blockchain technology with the appropriate protections has the potential to fundamentally change the manner in which trust and security are established in online transactions through various potential applications in sectors including financial services, payments, health care, energy, property management, and intellectual property management: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the United States should develop a national policy to encourage the development of tools for consumers to learn and protect their assets in a way that maximizes the promise customized, connected devices hold to empower consumers, foster future economic growth, create new commerce and new markets;

(2) the United States should prioritize accelerating the development of alternative technologies that support transparency, security, and authentication in a way that recognizes their benefits, allows for future innovation, and responsibly protects consumers' personal information;

(3) the United States should recognize that technology experts can play an important role in the future development of consumer-facing technology applications for manufacturing, automobiles, telecommunications, tourism, health care, energy, and general commerce;

(4) the United States should support further innovation, and economic growth, and ensure cybersecurity, and the protection of consumer privacy; and

(5) innovators in technology, manufacturing, automobiles, telecommunications, tourism, health care, and energy industries should commit to improving the quality of life for future generations by developing safe and consumer protective, new technology aimed at improving consumers' access to commerce.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentleman from Illinois (Ms. SCHAKOWSKY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the resolution.

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

There was no objection.

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

Mr. Speaker, I rise in support of H. Res. 835.

Mr. Speaker, as chairman of the Subcommittee on Commerce, Manufacturing, and Trade, I have chaired two hearings in our Disrupter Series exploring fintech. Over the last year, the subcommittee has examined mobile payments, digital currencies, and blockchain technology. There is no question that this new technology is changing the face of global payments and commerce.

The rise of the smartphone has drastically changed consumer behavior

when it comes to mobile payments. Checking an online account and transferring money is as easy as checking email on your smartphone.

In 2014, 22 percent of mobile phone users reported making a purchase on their phone. Thirty-nine percent used their phones to make a purchase in a store.

Global investment in financial technology ventures tripled in 2014 to $12 billion, and increased 67 percent in the first quarter of 2016. Payment companies and marketplace lenders account for about two-thirds of these highly valued startups.

One of the cutting-edge areas of this innovation is around blockchain, a ledger-based technology fundamentally based on transparency. Blockchain technology holds the potential to disrupt healthcare records management, manufacturing supply chain management, real estate recordkeeping, international clearing and settlement functions, and even regulatory oversight by government agencies.

Peer-to-peer asset transfer online has been a challenge for a number of industries since the rise of the Internet. Blockchain technology has offered one potential solution that many industries could leverage in the future to protect their intellectual property.

There is no doubt that blockchain innovations are on the cutting edge today. For every story about the amazing potential applications, there is another story outlining a doomsday scenario. While innovation can be frightening, discovery should be encouraged because the public will never see the benefits without assuming some measured risk.

This resolution reaffirms Congress' commitment to innovation. I support H. Res. 835, and I would like to thank Mr. KINZINGER and Mr. CÁRDENAS for their leadership on this issue.

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

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

I want to acknowledge the work of Congressman KINZINGER and Congressman CÁRDENAS in bringing this resolution to the floor today.

In the last year or so, fintech, financial technology, has become the new buzzword on Capitol Hill.

Finance and technology have long had a close relationship. For decades, banks have been able to send money between themselves nearly instantaneously. Consumers have easy access to online and mobile banking services.

Now, more technology is coming into consumers' hands. Person-to-person payment apps have made check-splitting at restaurants much less of an ordeal. Blockchain is being used to send remittances around the world.

The challenge for Federal regulators is to understand and adapt to this new technology. Fintech does not always involve traditional financial institutions. It has increased the amount of potentially sensitive consumer information being stored and transmitted. If we want innovation to continue and for consumers to trust this technology, we must ensure that data security is baked in.

We also need to consider how new technology works with existing rules to prevent money laundering and terrorist financing. These are not easy issues, but they are critical to furthering innovation, which I hope will lead to lower costs and better services for consumers.

This resolution recognizes that Congress and Federal agencies need to be working on policies that promote the responsible development of fintech. I look forward to working with my colleagues to do just that.

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

Mr. BURGESS. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. KINZINGER), the author of this legislation, in support of his resolution.

Mr. KINZINGER of Illinois. Mr. Speaker, I want to thank the chairman and Ranking Member SCHAKOWSKY for their work on this and their help.

I rise today in support of H. Res. 835. It is a resolution adopting a national policy to promote economic growth and consumer access to financial tools through technology.

I introduced this resolution with the gentleman from California (Mr. CÁRDENAS) earlier this year to highlight the importance of supporting a growing industry at the intersection of consumer finance and technology, otherwise known as fintech. I would like to thank him for joining me to ensure that the United States is competitively positioned to leverage this next wave of technology for the economy and for consumers' benefits.

Fintech is leading the charge in taking payments to the next level in terms of speed, convenience, efficiency, and accessibility, and is fundamentally changing the amount of transparency and control consumers have over their information.

Fintech startups have created a surge in payment innovation, ranging from new mobile payment options to digital currencies outside of traditional government-issued currency. There are over 2,000 fintech startups, and more than a dozen that are currently valued at over $1 billion.

Mobile payments revenues in 2016 are expected to surpass the $600 billion mark, and this year, 45 percent of consumers use some form of mobile payments. And with that investment comes new jobs and new opportunities.

Given all of this, there is still a host of questions about these offerings that industry and government at all levels must continue to work through. Questions about security, privacy, and consumer protection are important and will guide how public and private entities continue to review and assess emerging technologies.

However, potential risks and 20th century silos between government agencies should not hamper innovation in this space.

In an age where mobile devices are ubiquitous, consumers are demanding a higher level of transparency and control over their financial information. Due to the proliferation of mobile devices, we have an opportunity to capitalize on an emerging technology that we cannot afford to miss out on. The only question is who is going to lead the way in this process.

This resolution sends a clear message that it will be the United States, and that Congress supports continued innovation and consumer empowerment.

Again, I want to just say thank you to my friends on both sides of the aisle for bringing this up, what I think is a very good bipartisan resolution and a good first step to doing what we need to do.

Ms. SCHAKOWSKY. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from California (Mr. CÁRDENAS), the cosponsor and coauthor of this resolution.

Mr. CÁRDENAS. Mr. Speaker, I want to thank my colleague and friend for yielding the time, and also for her leadership, my colleague, Ms. SCHAKOWSKY.

And also to my colleague, Congressman KINZINGER, I thank him for introducing this legislation. It is my honor to work with the gentleman, and especially across the aisle on something that we all agree on and realize that this is something that we need to take responsible steps in harnessing here in this country when it comes to the issue at hand.

Today, financial service companies are undergoing another profound era of change. In the United States alone, there are 85 million millennials, a generation considerably more open to nontraditional financial services than past generations. This is almost the same amount of Americans who have little or no relationship with a bank. That means no checking or savings account for those people.

We also know that there are more than 1 billion smartphones worldwide, with more than 200 million in the U.S. alone. People today have 24-hours-a-day mobile access to financial services providers, regardless of how far they are from the nearest bank branch.

The fintech revolution can bridge the gap between those who are banked and those who are not. Anyone with a cell phone should also be able to save, invest, transfer, and improve their financial experience safely.

For example, our society has an unprecedented amount of choices when purchasing or selling products in person and/or online.

Blockchain technology, the system behind bitcoin has the potential to fundamentally disrupt the way we think of not just currency exchanges but also health care, energy, and intellectual property.

Of course, every new system must incorporate safeguards against those who want to take advantage of it. Finding

the balance between the development of new technology and the protection of our personal information is not only necessary but critical. That is why Representative KINZINGER and I introduced H. Res. 835, the bipartisan financial technology resolution.

It is time Congress recognizes and encourages innovation, while setting the tone for security and transparency. This resolution underscores fintech's ability to improve a consumer's experience when it comes to managing their finances online.

It also states that fintech could help increase financial literacy rates across the U.S. by creating new opportunities for the nearly 25 million households in the United States that are still unbanked.

Let it be known: identity theft is a real concern for all Americans at all levels. But the good news is that many within fintech are committed to improving security through increased transparency and verifiable trust mechanisms.

Not only does fintech give small businesses and consumers an alternative way to bank, it also offers the possibility of a safer, more convenient financial experience while creating U.S. jobs.

Seeing as the United States is the world leader in software development and technology, it is in our best interest to develop a national policy. We must drive innovation, boost economic growth, and ensure the protection of every American's personal information.

Fintech not only makes products and services more accessible to the consumer, but it can also make these services more affordable. It is needless to say that fintech has great potential in our future.

We need to do what we have to, as government, to unleash the creativity, convenience, but more importantly, its responsible and safe environment for these technologies, all the while, seeing to it that we stay out of the way of getting in the way of the billions and eventually trillions of dollars that will be manifested through this new industry; and that means, jobs, jobs, jobs right here in America.

If we don't harness this policy, if we don't work with the industries, if we don't do our job as making sure that we set the tone, not only for this country but for the world, we may find ourselves missing out on this tremendous opportunity on behalf of the American public and the American worker.

I urge my colleagues to vote ''yes'' on H. Res. 835, the bipartisan fintech bill.

Ms. SCHAKOWSKY. Mr. Speaker, I look forward to the passage of H. Res. 835.

I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this resolution reaffirms Congress' commitment to innovation. I support H. Res. 835. I want to thank again Mr. KINZINGER and Mr. CÁRDENAS for their leadership.

I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H. Res. 835, which encourages the development of new technologies that increase consumers' access to commerce and financial tools. This is an exciting time in American Commerce.

Each day, innovators are connecting consumers, industries, and markets through brand new technologies and connected devices. These new technologies will empower American consumers and our economy like never before. With innovations coming so rapidly, we need to ensure that these new technologies are not at the expense of consumer privacy and cybersecurity.

These resolutions would support American innovation in financial technology, transparency, security, and consumer empowerment while protecting consumers' personal information. By improving consumers' access to commerce through technological means, we can greatly improve the quality of life for future Americans.

I urge my colleagues to support this resolution so that our innovators can confidently take on the challenge of developing technology for tomorrow's marketplace.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and agree to the resolution (H. Res. 835.)

The question was taken.

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

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

The yeas and nays were ordered.

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

AMATEUR RADIO PARITY ACT OF 2016

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1301) to direct the Federal Communications Commission to extend to private land use restrictions its rule relating to reasonable accommodation of amateur service communications, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1301

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Amateur Radio Parity Act of 2016''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) More than 730,000 radio amateurs in the United States are licensed by the Federal Communications Commission in the amateur radio services.

(2) Amateur radio, at no cost to taxpayers, provides a fertile ground for technical self-training in modern telecommunications, electronics technology, and emergency communications techniques and protocols.

(3) There is a strong Federal interest in the effective performance of amateur stations established at the residences of licensees. Such stations have been shown to be frequently and increasingly precluded by unreasonable private land use restrictions, including restrictive covenants.

(4) Federal Communications Commission regulations have for three decades prohibited the application to stations in the amateur service of State and local regulations that preclude or fail to reasonably accommodate amateur service communications, or that do not constitute the minimum practicable regulation to accomplish a legitimate State or local purpose. Commission policy has been and is to require States and localities to permit erection of a station antenna structure at heights and dimensions sufficient to accommodate amateur service communications.

(5) The Commission has sought guidance and direction from Congress with respect to the application of the Commission's limited preemption policy regarding amateur service communications to private land use restrictions, including restrictive covenants.

(6) There are aesthetic and common property considerations that are uniquely applicable to private land use regulations and the community associations obligated to enforce covenants, conditions, and restrictions in deed-restricted communities. These considerations are dissimilar to those applicable to State law and local ordinances regulating the same residential amateur radio facilities.

(7) In recognition of these considerations, a separate Federal policy than exists at section 97.15(b) of title 47, Code of Federal Regulations, is warranted concerning amateur service communications in deed-restricted communities.

(8) Community associations should fairly administer private land use regulations in the interest of their communities, while nevertheless permitting the installation and maintenance of effective outdoor amateur radio antennas. There exist antenna designs and installations that can be consistent with the aesthetics and physical characteristics of land and structures in community associations while accommodating communications in the amateur radio services.

SEC. 3. APPLICATION OF PRIVATE LAND USE RESTRICTIONS TO AMATEUR STATIONS.

(a) AMENDMENT OF FCC RULES.—Not later than 120 days after the date of the enactment of this Act, the Federal Communications Commission shall amend section 97.15 of title 47, Code of Federal Regulations, by adding a new paragraph that prohibits the application to amateur stations of any private land use restriction, including a restrictive covenant, that—

(1) on its face or as applied, precludes communications in an amateur radio service;

(2) fails to permit a licensee in an amateur radio service to install and maintain an effective outdoor antenna on property under the exclusive use or control of the licensee; or

(3) does not constitute the minimum practicable restriction on such communications to accomplish the lawful purposes of a community association seeking to enforce such restriction.

(b) ADDITIONAL REQUIREMENTS.—In amending its rules as required by subsection (a), the Commission shall—

(1) require any licensee in an amateur radio service to notify and obtain prior approval from a community association concerning installation of an outdoor antenna;

(2) permit a community association to prohibit installation of any antenna or antenna support structure by a licensee in an amateur radio service on common property not under the exclusive use or control of the licensee; and

(3) subject to the standards specified in paragraphs (1) and (2) of subsection (a), permit a community association to establish reasonable written rules concerning height, location, size, and aesthetic impact of, and installation requirements for, outdoor antennas and support structures for the purpose of conducting communications in the amateur radio services.

SEC. 4. AFFIRMATION OF LIMITED PREEMPTION OF STATE AND LOCAL LAND USE REGULATION.

The Federal Communications Commission may not change section 97.15(b) of title 47, Code of Federal Regulations, which shall remain applicable to State and local land use regulation of amateur service communications.

SEC. 5. DEFINITIONS.

In this Act:

(1) COMMUNITY ASSOCIATION.—The term ''community association'' means any non-profit mandatory membership organization composed of owners of real estate described in a declaration of covenants or created pursuant to a covenant or other applicable law with respect to which a person, by virtue of the person's ownership of or interest in a unit or parcel, is obligated to pay for a share of real estate taxes, insurance premiums, maintenance, improvement, services, or other expenses related to common elements, other units, or any other real estate other than the unit or parcel described in the declaration.

(2) TERMS DEFINED IN REGULATIONS.—The terms ''amateur radio services'', ''amateur service'', and ''amateur station'' have the meanings given such terms in section 97.3 of title 47, Code of Federal Regulations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentleman from New York (Mr. TONKO) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

□ 1800

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material into the RECORD on the bill H.R. 1301.

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

There was no objection.

Mr. BURGESS. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. Mr. Speaker, I want to thank the chairman for yielding. I also want to thank Chairman WALDEN and Ranking Member ESHOO for working with me to get this legislation to a point where all interested parties are able to support its passage today.

Additionally, I would like to thank the representatives from the ARRL and CAI for meeting with our offices time and again to come to an agreement that helps us move forward on this legislation in a bipartisan and very positive manner.

Under current law, there is an outright prohibition on the use of any antennae for amateur radio use in certain areas with no consideration for the emergency ramifications that come as a result. For some, this is merely a nuisance; but for others, those who use their amateur radio license for lifesaving emergency communications, a dangerous situation can be created by limiting their ability to establish effective communication for those in need.

During times of emergency service, such as following a hurricane or tornado, amateur radio operators are able to use their skills and equipment to create a network of communications for first responders when other wired or wireless technologies are down—a vital and lifesaving function.

Additionally, there are some hams that take their certifications even further by purchasing expensive equipment and going through extensive training to become part of MARS, the Military Auxiliary Radio System. The purpose of MARS is to help our military patch through their communications to one another domestically and abroad, and I have personally used this system as a pilot in the military.

What is so impressive about this group is what it takes to be part of this system. MARS members must have access to expensive, high-frequency radio equipment; it must file monthly reports; and they participate in a minimum of 12 hours of radio activity each quarter, all on their own dime and all on their own time.

This legislation that is brought before us today would change current regulations hampering the ability of amateur radio operators to effectively communicate in certain areas while respecting and maintaining the rights of local communities in those areas where hams reside.

Mr. Speaker, I appreciate the willingness of all the interested groups in coming to the table with myself, with Chairman WALDEN, and Ranking Member ESHOO, in order to come to an amicable agreement on how to move this legislation forward. I urge support of this bill.

Mr. TONKO. Mr. Speaker, I yield myself such time as I may consume. I rise in support of H.R. 1301, the Amateur Radio Parity Act.

Mr. Speaker, I commend both cosponsors here, Mr. KINZINGER of Illinois and Mr. COURTNEY of Connecticut, who have placed common sense into this legislative format that will drive fairness, I believe, into the equation for amateur radio operators.

Operators provide essential services in times of emergencies, and they should not be prohibited from building their facilities. They provide a very useful role in our given neighborhoods and communities. H.R. 1301 will provide for new rules that will help these operators navigate homeowner association restrictions when they are attempting to build their given stations.

The bill, Mr. Speaker, strikes the right balance to ensure that homeowner associations can impose reasonable regulations for amateur radio towers, but it would also make sure that amateur radio enthusiasts can continue to operate.

I do congratulate Chairman WALDEN and Ranking Member ESHOO for their work to come up with an agreement that everyone can support based on the efforts of the cosponsors of the legislation.

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

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

Mr. TONKO. Mr. Speaker, I yield such time as he may consume to the gentleman from Connecticut (Mr. COURTNEY), my good friend.

Mr. COURTNEY. Mr. Speaker, I want to, again, thank my friend, Mr. TONKO, and salute his great work on the Energy and Commerce Committee, as well as Mr. BURGESS and Mr. KINZINGER. For the last two Congresses we have worked together to get this legislation to the place we are at this evening. Again, it really recognizes the passionate work and highly skilled work that over 700,000 ham radio operators conduct every day in this country.

A couple of years ago in Hartford, Connecticut, they had the Centennial Convention of the American Radio Relay League, which brought together thousands of ham operators from all over the country to share their skills and to look at the latest innovation and technology, which Mr. KINZINGER referred to and, again, talked about the networks that they collaborate on in terms of early weather warnings as well as assisting the American military.

Last Congress, we had 69 bipartisan cosponsors. This year, it grew to 126, and, again, that is because of the external grassroots pressure which these groups brought forward. Again, they have no sort of skin in the game in terms of any personal benefit. As the Congressman from Illinois said, they are all basically volunteers. But I think it is important to realize this is not just a feel-good bill. This is about really strengthening our systems of emergency services and first responders that are out there.

In the State of Connecticut in 2014 we got a pretty good taste of this when Hurricane Sandy hit. It basically struck the power grid down for about 10 days or so. In the wake of that, we saw all the advanced communication that we take for granted—whether it is cable communication or cellular communication—completely sort of fall by the wayside. So the only way that first responders could communicate, the folks who were delivering emergency medical care to the State during that time period was, in fact, going back in time and relying on the ham radio operators to make sure that these groups were in real-time communication.

So what this bill seeks to do is to rebalance what has happened out there in terms of land use restrictions that have inhibited the ability of these really hardworking volunteers—American patriots I would argue—to really perform this critical duty.

The vast majority of homes that have been built since the 1980s in this country have contained some type of deed restrictions that have inhibited that capability. As a result of this legislation, it will sort of rebalance legitimate property rights of private property owners to make sure that non-intrusive antennas and technology will

be able to allow this network to continue to thrive and to do the great work that it does to support local disaster response all across the country.

I had a conversation recently with the chairman of the FCC, Tom Wheeler, who, again, as an organization going back to the 1970s, has recognized the value of amateur radio in terms of bolstering America's communication system providing kind of a redundancy system, a backup system, in case, again, the advanced stuff that we take for granted now is struck down by external events. He strongly supports this legislation.

Again, I want to salute the great bipartisan work that was done on the Energy and Commerce Committee to bring this bill after 3 long years to the floor here, and I strongly urge all the Members to support its passage.

Mr. TONKO. Mr. Speaker, as I indicated, the cosponsors of this legislation have struck a very sound balance between the interests of the homeowner associations and amateur radio operators. It is done in a spirit of bipartisanship. So for those reasons, I strongly suggest we support the measure.

Mr. Speaker, I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge my colleagues to support this legislation.

I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 1301, the Amateur Radio Parity Act, and its positive effects on amateur radio operators and our communities.

Amateur radio operators not only participate due to interests in the hobby, but also because they serve an important role in the communications and coordination of communities and emergency services.

Under existing regulations, amateur radio operators can be subjected to regulations that other industries are not subject to, effectively singling them out. This bill doesn't display favoritism, it simply created an equal playing field for an industry that is little known, but contributes immensely to the well-being of our communities.

The Amateur Radio Parity Act would ensure that amateur operators are able to continue their hobby within the confines of the law, including in deed-restricted communities.

Across the United States, there are more than 720,000 amateur radio operators licensed by the FCC whose services to their communities cost nothing to the taxpayers.

They are instrumental in helping to coordinate during natural disasters and have provided services to organizations including the American Red Cross, the Salvation Army, FEMA and the Department of Defense.

As the Representative for coastal Georgia, I know all too well the effects of a natural disaster on an area and the benefits to having in place every protection possible to help combat the challenges that arise in those difficult times.

I applaud my good friend Mr. KINZINGER for his work on this issue and the work of the Energy and Commerce Committee to address these reforms and I urge passage of this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 1301, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to direct the Federal Communications Commission to amend its rules so as to prohibit the application to amateur stations of certain private land use restrictions, and for other purposes.''.

A motion to reconsider was laid on the table.

SPORTS MEDICINE LICENSURE CLARITY ACT OF 2016

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 921) to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 921

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Sports Medicine Licensure Clarity Act of 2016''.

SEC. 2. PROTECTIONS FOR COVERED SPORTS MEDICINE PROFESSIONALS.

(a) IN GENERAL.—In the case of a covered sports medicine professional who has in effect medical professional liability insurance coverage and provides in a secondary State covered medical services that are within the scope of practice of such professional in the primary State to an athlete or an athletic team (or a staff member of such an athlete or athletic team) pursuant to an agreement described in subsection (b)(4) with respect to such athlete or athletic team—

(1) such medical professional liability insurance coverage shall cover (subject to any related premium adjustments) such professional with respect to such covered medical services provided by the professional in the secondary State to such an individual or team as if such services were provided by such professional in the primary State to such an individual or team; and

(2) to the extent such professional is licensed under the requirements of the primary State to provide such services to such an individual or team, the professional shall be treated as satisfying any licensure requirements of the secondary State to provide such services to such an individual or team.

(b) DEFINITIONS.—In this Act, the following definitions apply:

(1) ATHLETE.—The term ''athlete'' means—

(A) an individual participating in a sporting event or activity for which the individual may be paid;

(B) an individual participating in a sporting event or activity sponsored or sanctioned by a national governing body; or

(C) an individual for whom a high school or institution of higher education provides a covered sports medicine professional.

(2) ATHLETIC TEAM.—The term ''athletic team'' means a sports team—

(A) composed of individuals who are paid to participate on the team;

(B) composed of individuals who are participating in a sporting event or activity sponsored or sanctioned by a national governing body; or

(C) for which a high school or an institution of higher education provides a covered sports medicine professional.

(3) COVERED MEDICAL SERVICES.—The term ''covered medical services'' means general medical care, emergency medical care, athletic training, or physical therapy services. Such term does not include care provided by a covered sports medicine professional—

(A) at a health care facility; or

(B) while a health care provider licensed to practice in the secondary State is transporting the injured individual to a health care facility.

(4) COVERED SPORTS MEDICINE PROFESSIONAL.—The term ''covered sports medicine professional'' means a physician, athletic trainer, or other health care professional who—

(A) is licensed to practice in the primary State;

(B) provides covered medical services, pursuant to a written agreement with an athlete, an athletic team, a national governing body, a high school, or an institution of higher education; and

(C) prior to providing the covered medical services described in subparagraph (B), has disclosed the nature and extent of such services to the entity that provides the professional with liability insurance in the primary State.

(5) HEALTH CARE FACILITY.—The term ''health care facility'' means a facility in which medical care, diagnosis, or treatment is provided on an inpatient or outpatient basis. Such term does not include facilities at an arena, stadium, or practice facility, or temporary facilities existing for events where athletes or athletic teams may compete.

(6) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(7) NATIONAL GOVERNING BODY.—The term ''national governing body'' has the meaning given such term in section 220501 of title 36, United States Code.

(8) PRIMARY STATE.—The term ''primary State'' means, with respect to a covered sports medicine professional, the State in which—

(A) the covered sports medicine professional is licensed to practice; and

(B) the majority of the covered sports medicine professional's practice is underwritten for medical professional liability insurance coverage.

(9) SECONDARY STATE.—The term ''secondary State'' means, with respect to a covered sports medicine professional, any State that is not the primary State.

(10) STATE.—The term ''State'' means each of the several States, the District of Columbia, and each commonwealth, territory, or possession of the United States.

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

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 921, the Sports Medicine Licensure Clarity Act of 2016, introduced by my

colleague on the Health Subcommittee, BRETT GUTHRIE.

Team physicians and other licensed sports medicine professionals often travel with their athletes to away games and other sporting events outside of their home State. When providing care to an injured player during the game or in the locker room afterwards, they are often doing so at great personal and professional risk. If they are sued, their home State license could be in jeopardy, and their malpractice insurance may not provide coverage.

This commonsense bill would provide clarity first by stating that their liability insurance shall cover them outside their home State for limited services within the scope of their practice, subject to any related premium adjustments.

Second, to the extent that the healthcare professional is licensed under the requirements of their home State to provide certain services to an athlete or team, they shall be treated as satisfying corresponding licensure requirements of a secondary State in these narrowly defined instances.

H.R. 921 has almost 200 bipartisan cosponsors and is supported by a wide range of professional medical associations as well as amateur and professional sports associations. I urge my colleagues to join me in support.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, September 9, 2016.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR CHAIRMAN UPTON: I write with respect to H.R. 921, the ''Sports Medicine Licensure Clarity Act,'' which was referred to the Committee on Energy and Commerce and in addition to the Committee on the Judiciary. As a result of your having consulted with us on provisions within H.R. 921 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 921 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 921 and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 921.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 12, 2016.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN GOODLATTE: Thank you for your letter regarding H.R. 921, the ''Sports Medicine Licensure Clarity Act of 2015.'' As you noted, there are provisions of the bill that fall within the Committee on the Judiciary's Rule X jurisdiction.

I appreciate your willingness to forgo consideration of H.R. 921, and I agree that your decision is not a waiver of any of the Committee on the Judiciary's jurisdiction over the subject matter contained in this or similar legislation, and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward. In addition, I understand that the Committee reserves the right to seek the appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and you will have my support for any such request.

I will include a copy of your letter and this response in the Congressional Record during floor consideration of H.R. 921.

Sincerely,

FRED UPTON,
Chairman.

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

I rise today in support of H.R. 921, the Sports Medicine Licensure Clarity Act of 2015. The bill's sponsors, Congressman RICHMOND and Congressman GUTHRIE, were able to fix a particular problem with a targeted solution in this legislation.

As amended, this bill will ensure that sports medicine professionals who contract with a team are covered by their medical professional liability insurance while they are traveling with their teams. Medical licensure is State specific, so when a provider travels with a team, they are often technically practicing without a license and without their medical liability insurance. Obviously this is a problem.

This bill solves that problem unique to sports medicine professionals since they travel around the country with their teams. The legislation provides that any medical malpractice incident occurring under the care of a traveling team sports medicine professional would be treated as if it occurred in the professional's primary State of practice rather than the State in which the game is being played. This bill does not allow these providers to practice beyond the scope of their licenses or to treat athletes anywhere other than the field or the court.

This legislation will also provide certainty to players that malpractice insurance will apply if they need to file a lawsuit after receiving improper care. I am pleased that the sponsors were able to work with the Energy and Commerce Committee and stakeholders to ensure that this bill achieves the right balance.

I want to thank Congressman GUTHRIE and Congressman RICHMOND from Louisiana for working on this bill. I encourage my colleagues to vote ''yes.'' I just, again, want to thank the sponsors for fixing a problem that clearly needed fixing. I support this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

I urge my colleagues to join me in support of this worthwhile bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HOLDING). The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 921, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1815

ADVANCED NUCLEAR TECHNOLOGY DEVELOPMENT ACT OF 2016

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4979) to foster civilian research and development of advanced nuclear energy technologies and enhance the licensing and commercial deployment of such technologies, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4979

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Advanced Nuclear Technology Development Act of 2016''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Nuclear energy generates approximately 20 percent of the total electricity and approximately 60 percent of the carbon-free electricity of the United States.

(2) Nuclear power plants operate consistently at a 90 percent capacity factor, and provide consumers and businesses with reliable and affordable electricity.

(3) Nuclear power plants generate billions of dollars in national economic activity through nationwide procurements and provide thousands of Americans with high paying jobs contributing substantially to the local economies in communities where they operate.

(4) The United States commercial nuclear industry must continue to lead the international civilian nuclear marketplace, because it is one of our most powerful national security tools, guaranteeing the safe, secure, and exclusively peaceful use of nuclear energy.

(5) Maintaining the Nation's nuclear fleet of commercial light water reactors and expanding the use of new advanced reactor designs would support continued production of reliable baseload electricity and maintain United States global leadership in nuclear power.

(6) Nuclear fusion technology also has the potential to generate electricity with significantly increased safety performance and no radioactive waste.

(7) The development of advanced reactor designs would benefit from a performance-based, risk-informed, efficient, and cost-effective regulatory framework with defined milestones and the opportunity for applicants to demonstrate progress through Nuclear Regulatory Commission approval.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADVANCED NUCLEAR REACTOR.—The term ''advanced nuclear reactor'' means—

(A) a nuclear fission reactor with significant improvements over the most recent generation of nuclear fission reactors, which may include inherent safety features, lower waste yields, greater fuel utilization, superior reliability, resistance to proliferation, and increased thermal efficiency; or

(B) a nuclear fusion reactor.

(2) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(3) LICENSING.—The term ''licensing'' means NRC activities related to reviewing applications for licenses, permits, and design certifications, and requests for any other regulatory approval for nuclear reactors within the responsibilities of the NRC under the Atomic Energy Act of 1954.

(4) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given that term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(5) NRC.—The term ''NRC'' means the Nuclear Regulatory Commission.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

SEC. 4. AGENCY COORDINATION.

The NRC and the Department shall enter into the a memorandum of understanding regarding the following topics:

(1) TECHNICAL EXPERTISE.—Ensuring that the Department has sufficient technical expertise to support the civilian nuclear industry's timely research, development, demonstration, and commercial application of safe, innovative advanced reactor technology and the NRC has sufficient technical expertise to support the evaluation of applications for licenses, permits, and design certifications, and other requests for regulatory approval for advanced reactors.

(2) MODELING AND SIMULATION.—The use of computers and software codes to calculate the behavior and performance of advanced reactors based on mathematical models of their physical behavior.

(3) FACILITIES.—Ensuring that the Department maintains and develops the facilities to enable the civilian nuclear industry's timely research, development, demonstration, and commercial application of safe, innovative reactor technology and ensuring that the NRC has access to such facilities, as needed.

SEC. 5. REPORTING TO CONGRESS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the National Laboratories, relevant Federal agencies, and other stakeholders, shall submit to the Committee on Energy and Commerce and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Environment and Public Works and the Committee Energy and Natural Resources of the Senate a report assessing the capabilities of the Department to authorize, host, and oversee privately proposed and funded experimental reactors.

(b) CONTENTS.—Such report shall address—

(1) the safety review and oversight capabilities of the Department, including options to leverage expertise from the NRC and the National Laboratories;

(2) options to regulate Department hosted, privately proposed and funded experimental reactors;

(3) potential sites capable of hosting the activities described in subsection (a);

(4) the efficacy of the available contractual mechanisms of the Department to partner with the private sector and other Federal agencies, including cooperative research and development agreements, strategic partnership projects, and agreements for commercializing technology;

(5) the Federal Government's liability with respect to the disposal of low-level radioactive waste, spent nuclear fuel, or high-level radioactive waste, as defined by section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101);

(6) the impact on the Nation's aggregate inventory of low-level radioactive waste, spent nuclear fuel, or high-level radioactive waste;

(7) potential cost structures relating to physical security, decommissioning, liability, and other long-term project costs; and

(8) other challenges or considerations identified by the Secretary.

(c) UPDATES.—The Secretary shall update relevant provisions of the report submitted under subsection (a) every 2 years and submit that update to the Committee on Energy and Commerce and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Environment and Public Works and the Committee Energy and Natural Resources of the Senate.

SEC. 6. ADVANCED REACTOR REGULATORY FRAMEWORK.

(a) PLAN REQUIRED.—Not later than 1 year after the date of enactment of this Act, the NRC shall transmit to the Committee on Energy and Commerce and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Environment and Public Works of the Senate a plan for developing an efficient, risk-informed, technology-neutral framework for advanced reactor licensing. The plan shall evaluate the following subjects, consistent with the NRC's role in protecting public health and safety and common defense and security:

(1) The unique aspects of advanced reactor licensing and any associated legal, regulatory, and policy issues the NRC will need to address to develop a framework for licensing advanced reactors.

(2) Options for licensing advanced reactors under existing NRC regulations in title 10 of the Code of Federal Regulations, a proposed new regulatory framework, or a combination of these approaches.

(3) Options to expedite and streamline the licensing of advanced reactors, including opportunities to minimize the time from application submittal to final NRC licensing decision and minimize the delays that may result from any necessary amendments or supplements to applications.

(4) Options to expand the incorporation of consensus-based codes and standards into the advanced reactor regulatory framework to minimize time to completion and provide flexibility in implementation.

(5) Options to make the advanced reactor licensing framework more predictable. This evaluation should consider opportunities to improve the process by which application review milestones are established and maintained.

(6) Options to allow applicants to use phased review processes under which the NRC issues approvals that do not require the NRC to re-review previously approved information. This evaluation shall consider the NRC's ability to review and conditionally approve partial applications, early design information, and submittals that contain design criteria and processes to be used to develop information to support a later phase of the design review.

(7) The extent to which NRC action or modification of policy is needed to implement any part of the plan required by this subsection.

(8) The role of licensing advanced reactors within NRC long-term strategic resource planning, staffing, and funding levels.

(9) Options to provide cost-sharing financial structures for license applicants in a phased licensing process.

(b) COORDINATION AND STAKEHOLDER INPUT REQUIRED.—In developing the plan required by subsection (a), the NRC shall seek input from the Department, the nuclear industry, and other public stakeholders.

(c) COST AND SCHEDULE ESTIMATE.—The plan required by subsection (a) shall include proposed cost estimates, budgets, and specific milestones for implementing the advanced reactor regulatory framework by September 30, 2019.

(d) DESIGN CERTIFICATION STATUS.—In the NRC's first budget request after the acceptance of any design certification application for an advanced nuclear reactor, and annually thereafter, the NRC shall provide the status of performance metrics and milestone schedules. The budget request shall include a plan to correct or recover from any milestone schedule delays, including delays because of NRC's inability to commit resources for its review of the design certification applications.

SEC. 7. USER FEES AND ANNUAL CHARGES.

Section 6101(c)(2)(A) of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214(c)(2)(A)) is amended—

(1) by striking ''and'' at the end of clause (iii);

(2) by striking the period at the end of clause (iv) and inserting ''; and''; and

(3) by adding at the end the following:

''(v) for fiscal years ending before October 1, 2020, amounts appropriated to the Commission for activities related to the development of regulatory infrastructure for advanced nuclear reactor technologies.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentleman from New York (Mr. TONKO) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD on the bill.

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

There was no objection.

Mr. BURGESS. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Speaker, I thank the gentleman for yielding.

I rise today in support of H.R. 4979, the Advanced Nuclear Technology Development Act of 2016, which I introduced with Congressman MCNERNEY earlier this year. We are very excited the bill received unanimous support of the full Energy and Commerce Committee.

The next generation of the nuclear industry needs to start now, with Congress ensuring that the Nuclear Regulatory Commission is able to provide

the certainty that the private sector needs to invest in innovative technologies. Nuclear power is currently 20 percent of our national energy portfolio, and it must remain a vital part of our energy mix. As the United States looks to the future, more energy will be needed, and nuclear power provides a reliable, clean baseload power option, currently providing approximately 63 percent of total carbon-free energy.

It is imperative that we develop the right regulatory framework so advanced nuclear technologies can be developed, licensed, and constructed here in the United States. If we miss the opportunity to establish a safe, predictable regulatory framework for these technologies, private innovators and entrepreneurs will take their investment and scientists to our competitors in the global market.

H.R. 4979 requires that NRC establish a regulatory framework for issuing licenses for advanced nuclear reactor technology and also requires that NRC submit a schedule for implementation of the framework by 2019. Safety in nuclear is the number one goal, and this regulatory framework ensures that NRC has the opportunity to develop a framework to safely regulate the future technologies of the nuclear industry.

H.R. 4979 also requires that the Department of Energy and the NRC collaborate in developing new nuclear technology. DOE and its National Laboratories provide opportunities to test new private sector nuclear technologies. This bill would direct DOE to look at options for public-private partnerships between the DOE and the private sector companies interested in investing in the future of nuclear. There is also a role for NRC in this space because these testing opportunities may allow for demonstration of technologies that NRC has not commercially licensed for over the last 40 years.

Investment in new technologies is already happening, with approximately 50 companies in this country investing over $1 billion to develop the next generation of nuclear power. That is why we introduced H.R. 4979. It is time for Congress to ensure that NRC provides a framework so that innovators and investors can prepare to apply for licensing technologies. Passing this legislation is key to ensure that the United States remains a leader in the nuclear industry, which is vital for both our electricity mix and our national security.

I want to thank all of the cosponsors of this bill, as well as Chairman UPTON and Congressman MCNERNEY and all of the staff and stakeholders for their work on this important legislation.

I urge full support from my colleagues for H.R. 4979.

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

I rise in support of H.R. 4979, the Advanced Nuclear Technology Development Act of 2016, introduced by our colleagues Mr. LATTA of Ohio and Mr. MCNERNEY of California. As subcommittee ranker of Environment and the Economy that reports to the standing committee of Energy and Commerce, I am proud to support this legislation.

H.R. 4979 would require the Department of Energy and the Nuclear Regulatory Commission to enter into a memorandum of understanding to ensure technical expertise is maintained to assist in the development of advanced nuclear technology. The legislation would also require the NRC to establish a framework for issuing licenses for advanced reactor technology.

Nuclear technology has been largely unchanged for decades. Having our experts coordinate is the best way to support the private sector's development of new technology that may advance the industry in terms of waste, in terms of efficiency, and in terms of safety.

Regardless of Members' position on nuclear energy, I believe there is unanimous agreement that there is no compromising when it comes to safety. We need high standards for safety, and I believe and hope that the enhanced cooperation between DOE and NRC required by this bill will help put safety front and center for the development of advanced nuclear technology.

I congratulate Mr. LATTA and Mr. MCNERNEY for their work on this bill.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. SMITH), the chairman of the Science, Space, and Technology Committee.

Mr. SMITH of Texas. Mr. Speaker, first of all, let me thank my friend and colleague from Texas, Chairman BURGESS, for yielding me time.

H.R. 4979, the Advanced Nuclear Technology Development Act of 2016, gives direction to cooperative civilian nuclear energy R&D and provides regulatory changes to advance commercial innovation in the American nuclear power industry.

I thank the chairman of the committee on Energy and Commerce, my good friend, FRED UPTON, for his leadership and for working with me on this shared legislation.

I am encouraged by the strong bipartisan support that has emerged for nuclear energy innovation, beginning with the Science, Space, and Technology Committee's House-passed Nuclear Energy Innovation Capabilities Act, H.R. 4084. That bill is part of both the energy policy and NDAA conferences going on right now.

H.R. 4084, sponsored by the Science, Space, and Technology Subcommittee on Energy Chairman RANDY WEBER and the Committee on Science, Space, and Technology Ranking Member EDDIE BERNICE JOHNSON, already has passed the House this Congress with strong bipartisan support. The reinforcing legislation we consider today continues this bipartisan work. I thank the sponsors of today's bill, Representatives BOB LATTA and JERRY MCNERNEY, for their initiative on this issue.

Advanced nuclear energy technology provides an opportunity to make reliable, emission-free electricity available throughout the modern and developing world. The Science, Space, and Technology Committee has held many hearings and worked steadily on nuclear innovation since December 2014.

I thank Chairman UPTON, in particular, for being willing to incorporate important provisions in today's bill that were developed by the Science, Space, and Technology Committee through our continued work on nuclear R&D in our jurisdiction. I also appreciate Chairman UPTON's acceptance of language to ensure that the Department of Energy focuses on research and development that enables private sector commercialization efforts.

Nuclear power has been a proven source of safe and emission-free electricity for over half a century. America's strategic investments in advanced nuclear reactor technology can help create economic growth here and an improved quality of life around the globe.

Unfortunately, government red tape has stalled the ability to move innovative technology to the market. This legislation requires the Nuclear Regulatory Commission to provide a plan for developing a more efficient way to regulate new nuclear technology.

In July 2015, the chairman of the Nuclear Regulatory Commission testified before the Science, Space, and Technology Committee on this very issue. Congress must take action to ensure that the NRC reviews, assists, and approves advanced reactor technologies. If not, the United States will be forced to import nuclear technologies from overseas. America must lead the world in nuclear technology for our energy security and national security.

I thank the sponsors for their work on this bill, and I encourage my colleagues to support it.

Mr. TONKO. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. MCNERNEY), a friend, colleague, and fellow engineer on the Energy and Commerce Committee.

Mr. MCNERNEY. Mr. Speaker, I thank the ranking member for that introduction. I also want to thank Mr. LATTA for his work on this. He moved forward and asked me to participate. I thought it was a good plan, so I did.

As our country works to mitigate the effects of climate change and prepare for the energy challenges of the future, we must now move to develop low- and zero-carbon energy sources. This means making investments into R&D, training the scientists, engineers, and mathematicians of tomorrow, and ensuring there is an appropriate regulatory and investment framework that will foster growth as new technologies become commercially viable.

Nuclear energy has been a reliable source of energy, producing a significant amount of our Nation's energy supply, and it will likely do so into the future. But building plants and developing new technologies takes time, and we need to take steps to ensure the regulatory tools, including safety and reliability, are in place to meet potential increases in nuclear power capacity.

H.R. 4979 is a commonsense approach that provides a pathway for the Nuclear Regulatory Commission to establish the proper regulatory framework to facilitate, verify, and permit advanced reactor technologies. This bill also fosters increased collaborations between the NRC and the National Laboratories to provide opportunities to test new nuclear energy technologies and bolster public-private partnerships.

The provisions in this bill are aligned with the NRC's fiscal year 2017 budget request.

As we move forward toward a low-carbon sustainable energy economy, nuclear energy has the potential to play an instrumental role in meeting both State and national goals. Our current nuclear reactors use light water reactor technology, but there are advances that move toward completely different technology, including small modular reactors that can increase efficiency and safety while reducing the permitting and construction requirements that have hampered the development of new nuclear plants in recent years.

The bill passed unanimously out of the Energy and Commerce Committee and has support from nearly a dozen organizations, and I urge its passage.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of H.R. 4979, the Advanced Nuclear Technology Development Act of 2016, to talk about what it means for our Nation's energy infrastructure needs.

Energy independence is a critical goal for the United States as the sources of energy available in this country grow and become safer. It has been proven that nuclear energy is an extremely safe and viable option with the only new nuclear plant in 30 years being built just up the river from my district. There has been a considerable amount of research and development that has gone in to nuclear energy, and it accounts for 60 percent of the clean energy produced in the United States.

Under this bill, those hurdles to design and development will be lowered to ensure that the option to produce clean, viable energy that is stable and sustainable remains a possibility.

Growing a closer partnership between the Department of Energy and the Nuclear Regulatory Commission will help to chart an energy-independent path for our Nation as we seek new possibilities and alternatives to power our way to a better future. This legislation will knock down those walls to innovation and will provide an opportunity to develop advanced reactor designs that could be vital to our energy infrastructure.

I applaud my good friend, Mr. LATTA, for his work on this issue and the work of the Energy and Commerce Committee to address these reforms to the nuclear energy field and energy independence.

I urge passage of this important legislation.

□ 1830

Mr. TONKO. Mr. Speaker, I will just again reinforce what I think is a strong benefit here: bringing into the industry the efforts for resourcefulness, for efficiency, and for safety, all very key elements to this sector of the energy economy. The bill bears great benefits for the consumers of this country. I strongly support this measure.

Mr. Speaker, I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I look forward to the passage of this bill and the future of our nuclear technology industry. I urge an ''aye'' vote.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
Washington, DC, September 8, 2016.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 4979, the ''Advanced Nuclear Technology Development Act of 2016,'' which your Committee ordered reported on May 18, 2016.

H.R. 4979 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Science, Space, and Technology will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 8, 2016.

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

DEAR CHAIRMAN SMITH: Thank you for your letter concerning H.R. 4979, the ''Advanced Nuclear Technology Development Act of 2016.''

As you noted, H.R. 4979 contains provisions within the Committee on Science, Space, and Technology's Rule X jurisdiction. I appreciate your willingness to forgo action on the bill in order to expedite this bill for floor consideration, and I agree that doing so will in no way diminish or alter the jurisdiction of the Committee on Science, Space, and Technology with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I will include a copy of your letter and this response in the Congressional Record during the floor consideration of this bill.

Sincerely,

FRED UPTON,
Chairman.

Mr. BURGESS. Mr. Speaker, I yield back the balance of my time.

Mr. CARTER of Georgia. Mr Speaker, I rise today in support of H.R. 4979, the Advanced Nuclear Technology Development Act, and to talk about what it means for our nation's energy infrastructure needs.

Energy independence is a critical goal for the United States as the sources of energy available in this country grow and become safer.

It's been proven that nuclear energy is an extremely safe and viable option with the only new nuclear plant in 30 years being built just up the river from my district.

There has been a considerable amount of research and development that has gone in to the nuclear energy and it accounts for 60 percent of the clean energy produced in the United States.

Under this bill, those hurdles to design and development will be lowered to ensure that the option to produce clean, viable energy that is stable and sustainable remains a possibility.

Growing a closer partnership between the Department of Energy and the Nuclear Regulatory Commission will help to chart an energy independence path for our nation as we seek new possibilities and alternatives to power our way to a better future.

This legislation will knock down those walls to innovation and will provide an opportunity to develop advanced reactor designs that could be vital to our energy infrastructure.

I applaud my good friend Mr. LATTA for his work on this issue and the work of the Energy and Commerce Committee to address these reforms to the nuclear energy field and energy independence and I urge passage of this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 4979, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Res. 847, by the yeas and nays;

H. Res. 835, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

EXPRESSING THE SENSE OF THE HOUSE ABOUT A NATIONAL STRATEGY FOR THE INTERNET OF THINGS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 847) expressing the sense of the House of Representatives about a national strategy for the Internet of Things to promote economic growth and consumer empowerment, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and agree to the resolution.

The vote was taken by electronic device, and there were—yeas 367, nays 4, answered ''present'' 1, not voting 59, as follows:

[Roll No. 496]

YEAS—367

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Beatty
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Esty
Farenthold
Farr
Fitzpatrick
Fleischmann
Fleming
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hudson
Huffman
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jones
Jordan
Joyce
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Latta
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
Lynch
MacArthur
Maloney, Sean
Marino
Matsui
McCarthy
McCaul
McClintock
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
O'Rourke
Olson
Pallone
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Watson Coleman
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin
Zinke

NAYS—4

Amash
Grothman
Huelskamp
Massie

ANSWERED ''PRESENT''—1

Rice (SC)

NOT VOTING—59

Barton
Bass
Becerra
Blumenauer
Brown (FL)
Butterfield
Cicilline
Crenshaw
Davis (CA)
DeGette
DesJarlais
Doyle, Michael F.
Duckworth
Eshoo
Fincher
Forbes
Granger
Guinta
Guthrie
Gutiérrez
Hoyer
Huizenga (MI)
Jackson Lee
Johnson, Sam
Kaptur
Kirkpatrick
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lowey
Luján, Ben Ray (NM)
Maloney, Carolyn
Marchant
McCollum
Meng
Miller (MI)
Moore
Nolan
Palazzo
Pascrell
Payne
Pelosi
Poe (TX)
Richmond
Rohrabacher
Roybal-Allard
Rush
Sanchez, Loretta
Schakowsky
Schiff
Sewell (AL)
Stutzman
Velázquez
Walker
Waters, Maxine
Welch
Young (IN)

□ 1853

Messrs. MASSIE, HUELSKAMP, and GROTHMAN changed their vote from ''yea'' to ''nay.''

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. LOWEY. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted ''yea'' on rollcall No. 496.

Mr. LEVIN. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted ''yea'' on rollcall No. 496.

Mrs. DAVIS of California. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted ''yea'' on rollcall No. 496.

EXPRESSING THE SENSE OF THE HOUSE REGARDING A NATIONAL POLICY FOR TECHNOLOGY TO PROMOTE CONSUMERS' ACCESS TO FINANCIAL TOOLS AND ONLINE COMMERCE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 835) expressing the sense of the House of Representatives that the United States should adopt a national policy for technology to promote consumers' access to financial tools and online commerce to promote economic growth and consumer empowerment, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and agree to the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 385, nays 4, answered ''present'' 1, not voting 41, as follows:

[Roll No. 497]

YEAS—385

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crowley

Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Esty
Farr
Fitzpatrick
Fleischmann
Fleming
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huffman
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
O'Rourke
Olson
Pallone
Palmer
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schakowsky
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin
Zinke

NAYS—4

Amash
Grothman
Huelskamp
Massie

ANSWERED ''PRESENT''—1

Rice (SC)

NOT VOTING—41

Barton
Blumenauer
Brown (FL)
Butterfield
Cicilline
Crenshaw
DesJarlais
Doyle, Michael F.
Duckworth
Eshoo
Farenthold
Fincher
Forbes
Garamendi
Granger
Guinta
Guthrie
Gutiérrez
Huizenga (MI)
Jackson Lee
Johnson, Sam
Kirkpatrick
Lawrence
Marchant
Meng
Miller (MI)
Nolan
Palazzo
Pascrell
Payne
Poe (TX)
Richmond
Rohrabacher
Roybal-Allard
Rush
Sanchez, Loretta
Schiff
Sewell (AL)
Stutzman
Walker
Young (IN)

□ 1904

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONGRATULATIONS, MINNETONKA SCHOOLS

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

Mr. PAULSEN. Mr. Speaker, I am thrilled to recognize the Minnetonka School District for being named the number one school district in Minnesota by Niche, a Web site that analyzes education data across the country. The Minnetonka School District has received an overall A-plus grade based on their excellence in several areas, including academics, educational outcomes, teachers, and extracurricular opportunities. The school district received an A grade or higher in 9 out of 10 different categories considered in the analysis.

Mr. Speaker, I commend the teachers and the administrators of the Minnetonka schools for their commitment to going above and beyond in educating students from preschool to graduation. By dedicating themselves to providing an enriching learning environment, these educators are equipping students with all the necessary tools to not only excel in the classroom but also contribute to leadership on sports teams, clubs, and in our community.

We are proud to have such an exemplary school system in our own backyard. Congratulations to the teachers, the students, the administrators, and the parents of Minnetonka for this distinguished recognition.

FEDERAL FUNDING WILL COMBAT WHITE-NOSE SYNDROME

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I know that I join a large number of my colleagues here in the House in concern over the white-nose syndrome. It is a devastating fungus that has killed between 5.7 million and 6.7 million bats across North America.

Recently, I received news of grant funding from the U.S. Fish and Wildlife Service to combat this disease and that Pennsylvania will receive more than $30,000.

As a member of the House Committee on Natural Resources, I have been active in ensuring the effects of white-nose syndrome were appropriately addressed. I have participated in field hearings on the subject and toured habitats where bat populations have been devastated by this fungus. There is an ecological importance to sustaining the bat population as well as preventing the species from becoming endangered, which would cause great harm to resource production, agriculture, and construction across the Commonwealth and a large part of the country.

A rule finalized in 2015, which listed the northern long-eared bat, cleared the way for new conservation practices to be put in place where necessary, helping make new conservation measures possible without broadly prohibiting common land-use activities. It is my hope that these measures will help us in the effort against white-nose syndrome.

UNDERWATER RESOURCE MAPPING

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

Mr. MCNERNEY. Mr. Speaker, I rise today to discuss recent developments in the area of underwater resource mapping. Scientists at the Scripps Institution of Oceanography used NSF funding to develop instruments to conduct marine electromagnetic surveys. This technology uses electrical currents and conduction to search for freshwater aquifers in the ocean, which will reveal the location of drinking water supplies deep below the surface of the sea.

It has been clear to scientists for 40 years that bodies of freshwater exist off the U.S. East Coast. This research created the only noninvasive method capable of sensing the exact location of these valuable drinking water reserves.

This technology has also attracted the attention of oil companies, which continue to develop the Scripps system to map out underwater resource deposits in three dimensions across the globe. Important projects like these improve our search for natural resources, and I commend the Scripps Institution and the National Science Foundation.

SEPTEMBER 11 TRIBUTE

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

Mr. WILSON of South Carolina. Mr. Speaker, on the 15th anniversary of the murderous attacks of September 11, former Vice President Dick Cheney with Liz Cheney detailed how the next President will face greater risks to American families and a weaker military than ever before, in an op-ed published in The Wall Street Journal, with the President's legacy of weakness:

''The President who came into office promising to end wars has made war more likely by diminishing America's strength and deterrence ability. He doesn't seem to understand that the credible threat of military force gives substance and meaning to our diplomacy . . .

''Among the most important lessons of 9/11 was that terrorists must be denied safe havens from which to plan and launch attacks against us. On President Obama's watch, terrorist safe havens have expanded around the globe . . .

''Generations before have met and defeated grave threats to our great Nation. American strength, leadership, and ideals were crucial to the Allied victory in World War II and the defeat of Soviet communism during the cold war. It will be up to today's generation to restore American preeminence so that we can defend our freedom and defeat Islamic terror.''

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

TRIBUTE TO MASTER DEPUTY BRANDON COLLINS

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

Mr. YODER. Mr. Speaker, I rise today truly saddened. I rise to speak the name of a slain police officer in our community for the third time in just a few short months. Johnson County Sheriff Master Deputy Brandon Collins was hit by a car while making a traffic stop early Sunday morning and tragically killed.

He leaves behind his wife and two daughters, who are suffering an unimaginable loss. Deputy Collins was only 44 years old and was just about to celebrate his 21st year with his department serving our community.

Brooke and I want to extend our deepest condolences to his family and friends. You are all, and will remain, in our thoughts and prayers.

As we mourn with our entire community, Deputy Collins' death is a devastating reminder, especially in light of yesterday being the 15th anniversary of the attacks on September 11, that our first responders risk their lives all the time to protect us and keep us safe. We owe them a debt of gratitude we will never be able to repay.

Mr. Speaker, may God bless Deputy Collins, and may he rest in peace.

A DAY SEARED INTO OUR MEMORY

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

Mr. DOLD. Mr. Speaker, yesterday, September 11, is a day that will live in our memory forever. For those old enough to remember Pearl Harbor, that was a day that was seared into their memory. For those in the early 1960s, November 1963, the day that President Kennedy was shot will live in their memory forever. Everyone remembers where they were when they heard the news.

But September 11, 2001, was a day that changed our world forever. Ultimately, we know that on that day, as the first plane hit the World Trade Center, we thought it was a terrible accident. When the second plane came in and hit that tower, we knew that it was something vastly different. We were under attack, and, frankly, our way of life was under attack.

We are trained, Mr. Speaker, as young children to run away from danger, but our first responders are trained the opposite—to run towards it. And so that fateful day, as people were exiting the World Trade Center, we had our first responders who were running in to try to save as many people as possible.

What was also interesting is that on Flight 93, we had citizens on that plane who realized what was going on as they got word to their loved ones and put the lives of Americans in front of their own. That plane was coming, most likely, to this building right here, Mr. Speaker.

So on the day after September 11, I want to make sure that Americans realize that we thank our first responders, and we thank those who are in uniform, those in our intelligence community who are trying to protect and save the United States of America from ever experiencing that type of attack again.

Again, God bless America. God bless our first responders and those in uniform.

□ 1915

9/11 ANNIVERSARY

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

Mr. LAMALFA. Mr. Speaker, yesterday being the 15th anniversary of the September 11 terrorist attacks, I just wanted to commend the people of northern California, of my district, for the efforts they made to remember that and to also say thank you to our firefighters all up and down the district.

The city of Chico had much positive participation as well, starting in the morning with the Optimist Club of Oroville and Chico saying, Let's take the firefighters to breakfast. They did so. There was a lot of great participation on that. It was one way to start the day—by saying thank you again to our first responders.

The city of Chico, along with their fire department, led by Chief Bill Hack, was able to have a very, very moving and well-done 9/11 commemoration starting at the Elks Club because the fire station was no longer large enough to house all the people that were participating, which is a good thing. They used great solemnity to honor the firefighters that were lost 15 years ago as well as remembering that those first responders need to be respected and properly taken care of.

We commend, again, the city of Chico and the fire department for making the community part of this, culminating in the bell-ringing at the 9/11 Memorial they have onsite at Station 5.

And there was a ribbon-cutting ceremony for the brand new building they have with a 9/11 memorial inside as well.

God bless our first responders and our firefighters. Good job, city of Chico, for making the 15th anniversary of 9/11 a good public event.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore (Mr. LAHOOD) laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

SEPTEMBER 12, 2016.

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

DEAR MR. SPEAKER: Pursuant to Section 214(a) of the Help America Vote Act of 2002 (52 U.S.C. 20944), I hereby appoint Dr. Philip B. Stark of Berkeley, California to the U.S. Election Assistance Commission Board of Advisors.

Thank you for your attention to this appointment.

Best regards,

NANCY PELOSI,
Democratic Leader.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

SEPTEMBER 12, 2016.

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

DEAR MR. SPEAKER: Pursuant to section 803(a) of the Congressional Recognition for Excellence in Arts Education Act (2 U.S.C. 803(a)), I am pleased to appoint Mr. Steven L. Roberts of St. Louis, Missouri to the Congressional Award Board.

Thank you for your attention to this appointment.

Best regards,

NANCY PELOSI,
Democratic Leader.

LAMEDUCK SESSION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, it is my privilege to be recognized to address you on the floor of the House of Representatives this evening, as we move toward a September session that perhaps gets concluded in a way that we go back to the November elections and, hopefully, we are bridged over any great big decisions that might come in a lameduck session.

Something that I wanted to address to you, Mr. Speaker, is the circumstances of lameduck sessions. I look back on the history of them and it is hard for me to find happy conclusions that are drawn during lameduck sessions.

I recall that Thomas Jefferson once made the statement that ''large initiatives should not be advanced on slender majorities.'' What he meant by that was, if you have a large initiative and it is going to move this country and it is going to stress a lot of people in this country, then, if you move that large initiative and its margins are essentially close to a jump ball, you are going to have almost half the people unhappy—maybe more than half the people who are unhappy.

So that large initiative should not be advanced on a slender majority, because you get so much pushback, you don't get public buy-in. If you have a large initiative, you need to have a public that embraces it; one that, hopefully, we can get to a supermajority on large initiatives, because then we go forward in lockstep in defending and promoting those decisions that were made by this country.

Worse than advancing a large decision on a slender majority is pushing large decisions in lameduck sessions. The reality of it is, however long and nobly Members of the House and Members of the Senate have served and however long and nobly the President of the United States may have served, when they are leaving town after the election, for them to come back here after the November election and push large initiatives in a lameduck session, they are not held accountable for it any longer. You have the people that are retiring, those that we voted out of office, and a President who is term-limited altogether packaging things up and shoving them at us, the American people, sometime after November 8 and before Christmas, where we have cliffhangers that go on until Christmas Eve.

I remember Christmas Eve in about 2009. In fact, it was 2009. The ObamaCare legislation was hanging in the balance in the United States Senate. There, I recall my communications with the esteemed gentleman who is now the chairman of the Senate Judiciary Committee, and I said: Procedurally, you are down to the last piece here. This is the eve of Christmas Eve day, December 23.

I had sent an email over, which often and almost immediately is responded to by my senior Senator, and I said: Procedurally, you are going to hold ObamaCare until 9 o'clock tomorrow night on Christmas Eve. But it looks like the question is: Will the ObamaCare legislation be brought before the Senate before—earlier in the morning on the 24th—so that everybody can catch their plane and fly back home and get home in time for Christmas?

The price for sacrificing God-given American liberty to move a leftist agenda, Mr. Speaker, was what was going on over in the Senate. They brought this leverage right up until Christmas Eve day. But the deal was they had a couple of judicial appointments that they wanted to get in a vote on, as I understood, that could come along in January, as a promise that they allowed the ObamaCare legislation to be voted on before 9 o'clock on December 24, Christmas Eve day.

That agreement was reached and the Senate conferenced in some negotiated fashion or another and the last delay that was hanging onto God-given American liberty in the face of ObamaCare's hook, crook, and legislative shenanigans, which they used to pass that through the House and Senate—in components, by the way—the last one was removed and they allowed that vote earlier in the day so the Senators could get to the airport, get on a plane, fly home, and be with their families on Christmas Eve.

I said: If you are going to take away a God-given American liberty, then make them pay that price. Hold that vote up until 9 o'clock on Christmas Eve. Let them stay in Washington, D.C., on Christmas Eve. If they love their socialized medicine that much, let them pay that price of being away from their families to impose that on the American people.

But that wasn't the agreement. So I sent the email back, which said: What are we going to do now?

The answer I received was: We are going to pray. We are going to pray for a legislative victory in the special election in the Senate race in Massachusetts. Scott Brown.

I thought that was a bit of a reach, to have the audacity to ask for that. We ended up with that. Scott Brown, for a time, did delay the socialized medicine program that we call ObamaCare. George Washington could not have called it the Affordable Care Act because George Washington could not tell a lie. It is not the Affordable Care Act.

It came upon us in a lameduck session. Probably the worst example of a lameduck session that we have seen. Well, at least it was a December session rather than a lameduck session because it technically was not an election year.

Now we are sitting in an election year. We will elect a new President. By the time the sun comes on the morning of November 9, odds are we will know clearly who the next President of the United States is going to be. We will probably have a good idea that evening before we go to bed. Maybe the polls will give us a strong indication going into that day and the exit polls during the day will be released as the polls close and give us a sense of how this thing breaks across the country.

It is an exciting time. Whether the next President of the United States is going to be Hillary Clinton or whether it is going to be Donald Trump is a question that no one at this point knows. Now, this Congress will take conclusive acts predicated upon a presumption of one or the other, or, acting as if they don't have any consideration for who will be the next President and asking that those decisions be made, supported, ratified by people who are going home, retired by their own choice, retired by the voters, or retired, in the case of Barack Obama, by term limits.

So what good could possibly happen in a lameduck session on large decisions that might bring forward—and I am not going down through the list, Mr. Speaker, because if I do that, that will add to the level of expectation on what might come.

It is wrong for this Congress to make large decisions, especially on slender majorities, and it is wrong for this Congress to make decisions that are predicated by a presumption of who will be the next President of the United States. And it is really wrong to come into this Congress and make big decisions in here while people are on the way out the door; deciding votes while they are on the way out the door to go home for their retirement, whether it is by choice, whether it is by the voters, or by constitutional term limit, whatever the case may be. That lameduck session should be used only to do that which couldn't be accomplished before the election and that which must be done before the new Congress is sworn in in the first week of January 2017.

We have that period of time. We can prepare for that. But it looks to me like there are some people in this Congress who are salivating over the idea of being able to exercise more leverage by moving an agenda through in a lameduck session that will be at the disadvantage of the will of the voters.

If you can't put that up here on the floor for a vote in the House of Representatives between now and November 8; if you can't sell it to the America people, Democrats and Republicans; if you can't get the support of one of the likely next Presidents of the United States, then who are we to impose it on the American people now?

By the way, who is the current President, Barack Obama, to be negotiating and leveraging and reaching legislative agreements with the House of Representatives and the Senate today on legislation that would not be signed by the next President and legislation that can't be subjected to the light of day prior to the election?

Lameduck sessions that move large initiatives are wrong. Lameduck sessions that take care of emergency issues are okay. The public will know the difference between the two.

This is just a component of the discussions that we will have the rest of this month of September, Mr. Speaker, and, hopefully, the American people will have all the way up until November 8 and beyond.

I want the American people to be well informed. We owe the American people—every one of us, all 435 of here in the House of Representatives—everyone around this Chamber here tonight and everyone who is watching on C–SPAN, Mr. Speaker, our best efforts and our best judgment, and that judgment should not be something that can't be subjected to theirs. The American people need to agree with the judgment of the United States Congress.

So I look at the issues that are unfolding here and that we will be taking up perhaps in the month of September, but also issues that have been seminal issues all along, throughout the Obama Presidency and prior to that and all the time I have been in this Congress, and I am seeing the pressure come forward to make a decision on a continuing resolution. We have to make a decision on a continuing resolution—a CR, as we refer to it here.

I would like to have seen this Congress go through regular order. I would have been very happy to go back to the times that I remember when we had 12 appropriations bill, perhaps a supplemental appropriations bill—maybe 13, at the most—and we would see that our Appropriations subcommittees would do their work and the Appropriations Committee would do its work. And then the appropriations bill would come to the floor. They would come to the floor within the Budget Committee's resolution and the House's vote on a full resolution of the budget.

Once that budget comes down, the Appropriations Committee goes to work and they look and see what their allocation is allowed in the budget resolution and they move the appropriations bills within that. Then the appropriations bills, Mr. Speaker, come to this floor under an open rule. I don't care if it takes all night for us to debate appropriations bills. If you don't care enough to stay up all night to offer your amendment, then just don't offer your amendment. Let somebody that cares more do that and have that floor. But Democrats and Republicans should be allowed to and have the opportunity to weigh in on every spending bill that we have.

□ 1930

And sometimes through the appropriations process is the only way that we end up with an open rule that allows a Member to bring the will of their constituents to the floor of the House of Representatives. Otherwise, the Rules Committee constrains that on policy bill after policy bill, standing bill after standing bill.

The appropriations process is our opportunity to reflect the voice and the will of the American people. And when that is subverted, when that is circumvented, when we get to a place where we don't have the regular appropriations process that is going on, then we end up with leadership negotiating a continuing resolution or an omnibus spending bill or a minibus spending bill that is packaged up in a room somewhere, not out in the open, but it doesn't have the opportunity to be amended in the process by the will of the Membership.

The more that process is narrowed down, and when a Member of Congress is required to go up to the Rules Committee and subject themselves to what can be a less than complimentary scenario of pleading with the Rules Committee for them to allow you to amend a spending bill up or down, or strike a spending line in there, or eliminate some policy, all within the rules that are there, why does a Member of the United States Congress whose constituents deserve every bit as much representation as the constituents of the leadership, or the constituents of the members of the Rules Committee, Democrat and Republicans, why does that Member of Congress have to go up and make that request to have an opportunity to make their argument to ask this floor to vote on an issue that funds or defunds policy? When we get to that point, the voice of the people, Mr. Speaker, is muted, and the will of the people, then, when it is muted, the will of the people is not carried out.

I am all for open debate here on the floor of the House of Representatives. I am for open debate in committees. Let's have a verbal donnybrook here. Over time, it sorts itself out, and the will of the people is designed to bring itself forward here in the United States Congress.

I would suggest also that, from a leadership perspective, anybody that holds a gavel, and whether that is the Speaker's gavel, Mr. Speaker, or whether it is a gavel of a committee or a subcommittee, wherever that might be, the job of that leader—chairman, usually—is to bring out the will of the group, not to impose their will on the group, but to bring out the will of the group.

So when I see this discussion that comes forward here in this Congress that contemplates a CR, a continuing resolution, of roughly 90 days or so that funds our Federal Government out till December 9, I look at the calendar, December 9, and I think, okay, that is just about how long it is going to take for them to bring pressure on people that are reluctant to agree with the CR that will come then, because people will want to go home for Christmas, just like they did when ObamaCare was passed over in the United States Senate. That is what we are looking at. December 9, tight little time there. Get done, compromise, go home for Christmas. That is what that says to me.

I would say, instead, I am all right with a CR. I am all right with a continuing resolution. No, I don't want to fund any of the President's unconstitutional executive amnesty acts, and I don't want to fund Planned Parenthood. There are a number of things I don't want to fund.

But as far as the decision to move the funding of this Federal Government from midnight December 30 to a date in the future, I would suggest that that date be January 31, probably not any later than February 28, because we need to get that, bridge that funding over into the next Congress for the next President, whomever that might be.

It is time to do this transition and move this government to the next Congress, to the next—hopefully, it is the same majority. It may not be in the House. Hopefully, it is the same majority in the United States Senate. It may not be in the Senate.

The next President will be a different President, and the will of the President does itself upon the will of this Congress. We have been very much subjected to that over the last almost 8 years, Mr. Speaker.

It has been an object of clarity that when the House majority has decided not to fund, let's just say, at least one of the President's projects and the President has said, I will shut this government down first before I will be denied the funding for my pet projects, in the end, the majority in the House of Representatives capitulated to the will of the President.

We have that to contemplate going forward into the next Presidency. We have watched as the power of the House of Representatives has been diminished. The power of the Senate has been diminished and, I will say, significantly and dramatically. And it didn't just happen under this Presidency. It began in a significant way clear back in the thirties. I don't know the exact year that the Administrative Procedure Act was signed, but that would be, probably, a pivotal moment that one could point to on the calendar and conclude that the balance of the three branches of government that we had—that was designed by our Founding Fathers, and I would submit that the judiciary branch was always designed to be the weakest of the three branches of government.

But our Founding Fathers envisioned that those three branches in government—thinking of it in a triangle, Mr. Speaker: the legislative branch, Article I; the executive branch, Article II; and then the judicial branch, Article III of

your Constitution—they set them up to be a balance of powers, a triangular balance of powers. And even though it is often taught that it is three equal branches of government, I would argue that the legislative branch comes first—that is Article I—because we are the voice of the people.

The House of Representatives comes ahead of the Senate when it comes to spending, by design, by Constitution, because our Founding Fathers wanted to give the control of the power of the purse into the hands of the people as closely as they could possibly get it. And that is why we here in the House are up for election or reelection every 2 years and why the Senate is up for election or reelection every 6 years, because they wanted the Senate to be insulated from the highs and lows of public opinion.

They wanted the House of Representatives to be reactive and responsive to the highs and lows of public opinion, and they wanted that power of the purse to be in the hands of the House, so that we start the spending bills. By extension and by interpolation and by precedent, the House starts the spending, and the House takes care of initiating any taxes as well; and the Senate then can react to those things that are advanced by the House.

But if there is a single spending bill over in the Senate right now, they have expanded in authority, historically, to be able to simply add anything spending to that spending bill they would like. And we are poised here in the House wondering: Are they going to send us a bill that is this continuing resolution that fits their wants, their wishes, and their will, which could be a CR till December 9 that funds Planned Parenthood and ObamaCare and the President's executive amnesty? All of that could come at us, Mr. Speaker.

This balance of powers that is here, though, it was expected by our Founding Fathers, they believed that the people elected to serve in the Congress, the House and the Senate, and they believed that the President of the United States would all jealously protect the constitutional authority that is granted to them within the Constitution.

They knew that no matter how good wordsmiths they were, it was impossible to define the distinctions, the bright lines between the three branches of government in such a way that there would never be an argument because, after all, words themselves get into a debate on what the definitions of those words mean.

So our Founding Fathers precisely drew the difference as much as they could within the language that they had. And the data at the time, and the Federalist papers at the time, and the decisions that were made and the CONGRESSIONAL RECORD that was debated along the way, and of all of the debates that had to do with the Constitutional Convention helped flesh out the meaning and understanding of this great and wonderful Constitution that we have. But they also knew that, no matter how precisely they fleshed it out, that there would be disagreements, and they expected that each branch of government would jealously protect the power and authority granted to it within the Constitution.

Well, this House of Representatives, and the Senate included, has not done a very good job of protecting and defending the authority and the power granted to it in the Constitution. Article I authority says all legislation shall be conducted in the United States Congress—all legislation, Mr. Speaker. And yet we have a President who has legislated from the Oval Office. He has legislated by speaking words into law. He has legislated by a third-tier Web site in the U.S. Treasury that essentially amended the effectiveness of ObamaCare.

This Congress didn't step up in the way of that and take on that fight and challenge the President and ball up this government to the point where the President had to give in to the words in the Constitution, the meaning of the Constitution, the intent of the Constitution, and concede that the power and the authority in the House of Representatives, in particular, but in the legislative branch, would assert itself over the executive branch. It didn't happen because of a lack of will at the House of Representatives to better define the legislative authority that we have.

It began, as I mentioned, with the Administrative Procedure Act, which granted rulemaking authority to the executive branch of government. And so rules, rules that once they meet the criteria that are defined within the Administrative Procedure Act—publish it, open it up for public comment, go through those conditions—if that rule as proposed reaches those conditions, then that rule is then enacted, implemented, and it has the force and effect of law as if it were law.

Today, it is a lot easier to publish a rule and have that rule take effect and be and provide the force and effect of law than it is for Congress to actually pass a law.

So if the President decides that he wants to see, let's say, environmental regulations, let's say, the WRRDA piece, the waters of the United States regulations that give the EPA and the Corps of Engineers the equivalent of legislative authority to regulate all of the waters of the United States through some ambiguous language that they had written into a rule, and it is so bad that it says these waters—the old language back from the nineties was these protected streams, as geographically defined, and waters hydrologically connected to them shall be protected streams.

When I go to them and I ask them: What does ''hydrologically connected'' mean?

Their answer is: Well, we don't know.

And I said: Well, then take it out of the language.

Well, we can't do that.

How can you know you can't take it out of the language if you don't know what it means?

Well, we know that we can't change or amend the language. That is what we are publishing here, and that is what is open for public comment. So you are either going to have to live with it or oppose it successfully. Which is it going to be?

Well, try opposing a rule successfully. Try convincing the EPA that there is enough public comment and criticism that they ought to change that language when they are not accountable to the people.

The EPA, the Corps of Engineers, any one of the dozens of agencies that are out there, their bureaucrats aren't up for election or reelection like Members of Congress are—only their President. Their President has given them orders, or at least a philosophical guideline that they are following, and so we end up with waters of the United States, now, language that says the navigable waters of the United States and any waters that are a significant nexus to the navigable waters of the United States.

Well, think of that. The ambiguous language of waters hydrologically connected to was litigated down to the point where the courts finally ruled that it doesn't have an effectiveness because it is too ambiguous. And so they cooked up some other ambiguous language to litigate for another couple of decades, this ambiguous language of significant nexus to the navigable waters of the United States—significant nexus.

All right. What is nexus? Well, that is anything that intersects. Well, is it 1 intersection? is it 2? is it 3? is it 10? is it 50? is it 100?

If you could go down to New Orleans and track the Mississippi River up to the headwaters, how many significant nexus do you have that are tributaries that run into the Mississippi? How many of those tributaries can be traced up to creeks and streams and tile lines and wells and water lines that go up to the kitchen sink?

They have defined ambiguous language that allows them to regulate the entire United States of America all of the way to the kitchen sink under requiring a significant nexus with the navigable waters of the United States. And we sit here and take this. And they can write rules like this that have the force and effect of law and put a chilling pall on the economy of the United States of America.

That is what we are faced with, Mr. Speaker. And the legislative power that has been asserted—and to a large degree, successfully asserted—by the executive branch of government reaches into the Article I authority of the United States Congress. What are we to do about it here? We are to jealously protect this power. Our Founding Fathers charged us with that.

And how do we jealously protect that power? We have only two things we can

do: impeachment, which nobody wants to do, including me; the second component of that is the power of the purse—the power of the purse that James Madison spoke about and wrote about eloquently, and it is a powerful, powerful tool.

But this Congress has declined to use the tool of the power of the purse, with the exception of what turned into the shutdown of our Federal Government in the first day of October of 2013, because they don't want to face the criticism that might come from the public of the American people.

□ 1945

There is a tremendous amount of authority that needs to be clawed back to this Congress, Mr. Speaker, a tremendous amount of constitutional authority that needs to be clawed back. When I see a CR being prepared that looks like it is going to reflect some of the continuing resolution from last year, I see a continuing resolution that may be coming to expand, for example, immigration standards within the United States of America under the guise of, well, we are just going the kick the can down the road and do some spending that is going to get us into December 9 or on into, hopefully, February 28 or maybe a little later, and some want to go out to September 30.

I think that is too far. I don't think we ought to give a blank check to the next President of the United States if we don't know who that is going to be—even if we know who that is going to be. We ought to be, instead, establishing a scenario by which the new Congress—House and Senate—can pass appropriations bills to get to the end of this fiscal year and get a signature of the next President of the United States, not this one.

By the way, I don't want to give this President of the United States a blank check on anything anymore, but Barack Obama said 22 times—not just 22 times in the interviews, 22 times overheard, or 22 times reported—he said 22 times on videotape that he did not have the legislative authority to grant executive amnesty to illegal aliens in the United States of America—22 times.

The most recent time that he did that was just about 10 days before he changed his mind. He was here in Washington, D.C., giving a speech to a high school here in Washington, D.C. He said to them: You are smart students, and I know that you have been studying your Constitution. You will know this, that I don't have the authority to grant executive—he didn't use the words—but executive amnesty. I am the President of the United States. Congress writes the laws. My job as President is to enforce the laws, and the job of the judiciary is to interpret the laws.

I don't think that you could put it more concisely than that in a matter of two or three sentences. I think the President did a good job of describing that to the students there. But within about 10 days, he decided that he would reverse all of that, and all of a sudden he had the power to grant an executive amnesty—an unconstitutional executive amnesty, Mr. Speaker.

President Obama unconstitutionally granted an executive amnesty to people who at least assert that they have come into the United States under the age of 18. Apparently, if you are under 18, you are not responsible for your actions, even though that is not true among the States, even in the case of homicide. So the excuse that it was somebody else's fault, it was their parents' fault or somebody else's fault, never held up. It didn't hold up in law.

We write the law here in Congress, but the President granted an executive amnesty. He called it DACA, Deferred Action for Childhood Arrivals. You are a child, apparently, up until the moment that you turn 18, and we will take your word for it even if you are 35 today or older, by the way. That was DACA.

Then there was DAPA, the Deferred Action for Parents of Americans, he called it. That was another unconstitutional reach. Now, these things have—at least the one has been effectively enjoined by Judge Hanen in the Texas District. Now the President has been blocked, I think, effectively until the end of his term on continuing this amnesty process of executive amnesty. Meanwhile, the DACA executive amnesty continues. We have seen evidence that there has been circumvention of the court's order with regard to the DAPA amnesty piece.

While we are watching this unfold, we are a Congress that has allowed for funding to continue with unconstitutional acts of executive amnesty on the part of the President of the United States. I recall a discussion before the Rules Committee before a previous appropriations bill when I made the assertion, Mr. Speaker, that we all take an oath to support and defend the Constitution of the United States. Every one of us in here, all 435 of us, and every Senator of the 100 Senators on the other end of the Capitol here through the rotunda all take that same oath that we will support and defend the Constitution of the United States, so help us God. We should take that oath seriously.

Our Founding Fathers imagined that we would always be electing serious representatives who when they took their oath that they would take that oath with their hand on the Bible, and they would know that they had to answer to their contemporaries, their colleagues, their constituents, the American public, and ultimately to God for that oath.

Now, the Constitution means what it says. It has to be interpreted to mean what it was understood to mean at the time of the ratification of the Constitution or the subsequent amendments. Our oath needs to be an oath of fidelity to the text and the understanding of that Constitution. If it doesn't mean that then our oath means nothing at all. Can you imagine, Mr. Speaker, taking an oath that is: I pledge to support and defend the Constitution of the United States whatsoever I might interpret it to mean at any convenient point in the future? No. The oath is not to support and defend the Constitution in any way it might be subverted or perverted by any other authority. No. We are taking an oath to support and defend the Constitution according to the text of its clear meaning and understanding as understood at the time of ratification.

If we don't like what that Constitution means, Mr. Speaker, then we have an opportunity to amend the Constitution. It is simply defined and difficult to do for good reason. Simply defined, it just takes a two-thirds majority in the House and Senate to pass a constitutional amendment out of here. The President has no formal say in the process. Although, he will have an opinion, and then that constitutional amendment goes out to the several States as it was referred to in the Constitution, and there, if three-quarters of the States ratify that constitutional amendment, it becomes a component of the Constitution.

Our Founding Fathers gave us a tool to amend the Constitution because they knew they couldn't see into the crystal ball by the centuries. They wanted it to be difficult because they wanted to protect the rights of minorities against the tyranny of the majority, and they wanted to protect God-given liberty. They had a vision, they were well educated, and they had a sound and faithful foundation within them. They laid out a brilliant document that would only maybe be second to the Declaration itself when it comes to the brilliance of documents that are written, at least by Americans and perhaps by mortals altogether.

We are an exceptional nation. God has given us this liberty. We have an obligation to protect it, an obligation to restore the separation of powers, and an obligation to assert the constitutional authority here and say to a President that overreaches: I'm sorry, we are not going to fund your unconstitutional activities. We are going to stand on the principle itself of the Constitution.

Whether or not we agree with policy, we need to have fidelity to the Constitution. We don't get a pass because the Supreme Court errs in its interpretation of the Constitution. We don't get a pass because the President says that he has a different opinion. We don't get a pass no matter which side of this aisle we are on, on the right or on the left. We have an obligation to God and country and to have fidelity to this Constitution.

So now this expansive immigration policy that has been delivered by the President has set a goal of 10,000 refugees coming out of Syria. At this point, I will concede that he has the executive

authority, as granted by Congress, to bring in refugees in numbers and under consultation with the House and the Senate. I have sat in on some of those consultations in previous years, and, in fact, with Hillary Clinton for that matter, and we have arrived at, I will say, a reasonable approach to the numbers of refugees.

But this President had set a goal that he was going to bring in at least 10,000 refugees out of the Syria and Iraq region. When I look at the numbers that are there and the costs that we have, if we want to provide relief to people, we can provide refugee relief to a dozen people in their home country, and that would be Iraq or Syria in these circumstances, for every one that we bring into America.

When you clean that area out, when you bring people out of that area, you are handing it over to ISIS. That is part of what the President has been doing. He has been bringing people out of there and handing that region, the real estate, over to ISIS. They are glad to get rid of them. They killed thousands of people who didn't agree with them, and there are those that are on the run from ISIS. ISIS has been committing a genocide against Christians and against Yazidis in the Middle East, especially in the Nineveh plains region. I have seen the devastation that is taking place there.

Mr. Speaker, I have gone into those regions and gotten as close to the ISIS front lines as possible, and that is just outside their artillery range. I went looking for Christian refugee camps, Mr. Speaker. I couldn't find Christian refugee camps in that part of the world, into the edges of Syria, into northern Iraq, into the Kurdish region, and into Turkey for that matter. The place to find Christians in that part of the world is go to church, and there you will find Christians. I have met with the Chaldean bishop twice in Erbil in the northern part of Iraq.

In my last trip in, I went into the Catholic Church, the Roman Catholic Church in Istanbul, and I met with a good number of Christians there. Then I went down into Erbil the following morning. It was a Saturday night mass and then a Sunday morning mass in Erbil, and there I met a good number of other Christians. I sat down with a family that was a refugee family out of the Syrian region and met with the Chaldean bishop there.

Here are some things that I learned from them and others: The Assyrian Christians are under attack. There is a heavy assault of genocide against them. Chaldean Christians, same way, they are subjected to genocidal attack from ISIS. The Yazidis, who are technically not Christians, are under genocidal attack from ISIS, and their home region is the Nineveh plains region. The Nineveh plains region runs along, I will say parallel or next to, Mosul in Iraq in that area.

In my discussions with the Barzanis, who are essentially in charge of the semiautonomous region of the Kurdish region in northern Iraq and the Erbil area and all across, I pressed them that we need to establish an international safe zone for Christians and for the Yazidis, the native minority, so that they can live there in peace and be protected.

I made that case rather extensively to him. He repeated it back to me probably two or three times greater in detail and in conviction than I had delivered it to him. I said to him: Mr. Barzani, you sound like you have said this before. His answer to me was: I have said it before. That is my public opinion. We will support an international safe zone in the Nineveh plains region. We will support it, we will help defend it, and we are committed to it. That is my public position.

I was awfully glad to hear that. It is a lot better solution for refugees to give them protection in their home region and protect them from the genocidal ISIS people than it is to try to bring them out of the Middle East and bring them into the United States, or other places in the world for that matter. But we do have refugees that are looking for a place to call home around this world.

So I stopped in Geneva a couple of months ago, Mr. Speaker, by the way, with Chairman GOODLATTE of the Judiciary Committee, and met with the number two on the U.N. High Commissioner for Refugees. In that meeting and in that discussion, I learned a few things. I thought that it was a good meeting. It was a very constructive meeting with a lot of information that poured back and forth.

□ 2000

I have this report that I probably will not put into the RECORD. ''Global Trends: Forced Displacement in 2015,'' which flows, of course, into 2016, Mr. Speaker.

I noted a report that we had that showed some—and I am close, but maybe not exactly precise on this top number—1,562 refugees out of the Syrian-Iraq region that had come in in a group into the United States. Of that 1,562, roughly, number, I can give you the exact number of Christians that were included in that: one. Only one.

We have seen other larger groups—several thousand—where there was only a little more than 1 percent Christians that come out of there. Christians in that part of the world, as far as refugees are concerned, grow into a number of 9, 10, 11, 12, 13 percent.

So why is it that this administration can bring in more than 10,000 refugees out of that part of the world—now approaching 12,000, looks like will be the number even greater than that by the end of this fiscal year on the last day of this month, Mr. Speaker—and not have any statistical representation of Christians that are emerging from that part of the world?

I asked our director of USCIS, under oath before the Judiciary Committee: Do you ask these refugees that you claim that you are vetting, and I don't believe can be effectively vetted, do you ask them what their religion is?

He said: No, we don't ask. How would we have any way of knowing? Even if we asked them, we don't know. So that is not a statistic that we collect or keep.

Well, it seems to me to be foolish and imprudent not to be taking a look at the religion of people. We would want to be accelerating bringing Christians into America if we are going to bring refugees at all into America. They are the ones that are targeted. They are the ones that are subjected to genocide.

I would like to carve out that international safe zone and let them live in peace in the area that is their home of antiquity. If that is not going to be the case, why would we be then seeing a misrepresentative sample coming into America, unless there is a preference of, let's say, a bias against Christians coming into America, one out of 1,562, roughly 1 percent out of 3,600 or so?

Then on top of that, when I began to ask the representative of UNHCR, the U.N. High Commissioner on Refugees, in Geneva—who gave a very impressive presentation, I would add, Mr. Speaker—when I began to ask those questions: How many refugees do you have cleared to come out of the Middle East that could be going to any of the designated countries that are accepting them? And we know that Germany, Austria, Sweden, and France, to a degree, are picking up refugees. We watched them pour in. I walked with them pouring in that epic migration. Many of them are not cleared, but of those that have been cleared by the U.N. High Commissioner on Refugees, how many do you have?

Her answer was: Well, we have 115,000 who have been cleared under a refugee status that have, roughly, a background check—she didn't use the word ''roughly''—but a background check done on them that we say are ready to be transported to host countries—115,000.

I said: Do you keep track of what religion they are?

Well, absolutely, yes, we do.

How many Christians?

Fifteen thousand Christians out of 115,000 refugees.

I didn't do the math, but I am going to say that is 12 or 13 percent. Now, if 12 or 13 percent of the refugees that are approved by the United Nations are Christians and 1 percent, or maybe even one out of 1,562, are Christians coming into America, does that mean that this administration set up a filter to filter them out and only made mistakes?

I would support, instead, an effort that if we are going to accept refugees from that part of the world, let's make sure it is the refugees that are subjected to a religious genocide. By the way, I think they are more likely to be assimilated into America judging by

the responses that I have heard from them.

I looked at some of the results in this report that I have referenced, Mr. Speaker, and I was surprised, not quite shocked, to see the number of refugees per 1,000 inhabitants in these countries who have been flooded with refugees. I want to tip my hat to the countries that have taken on a high number of refugees that is also a high percentage of their overall population.

Lebanon is at the top. Out of every 1,000 inhabitants of Lebanon, 183 are refugees. They have been stretched to the seams in Lebanon. Jordan, 87 out of 1,000. And then you go to Turkey, 32; Chad, 26; Djibouti, 22; on down the line getting down to the end, Malta, 17 per thousand. That is a high number, especially for a small island, but it is still a per capita basis. Out of all of the countries in Europe, or the United States for that matter, Sweden, 17 per thousand. That is the highest rate out of Europe in its entirety, or the Western Hemisphere for that matter, or Oceania for that matter. The Swedes continue to take a lot of refugees in.

We have a national destiny, a national security, to be concerned about. We know that it is a very difficult task to vet refugees. I am supportive of an effort to suspend refugees coming out of that part of the world that produces terrorists until such time as we can get a handle on the vetting of them, on the background checks. Many times when they leave their home country and when they enter a foreign country, they will destroy any identifying documents that they might have so that they can't be sent back to their home country.

This is a big problem for Europe. We have watched as the attacks have emerged in country after country. And it is a big problem for the United States. We are challenged with this vetting process that cannot possibly uncover those who will turn to violence. We can look at polling that shows what percentage of people from terrorist-producing countries that settle in the United States are supportive of Sharia law, are supportive of violence to promote Sharia law, that are, at least philosophically, supportive of organizations including and like ISIS.

Those numbers are shocking. They are far too high, which caused our Director of the FBI, James Comey, to make the remark when asked to be responsible for the vetting of the refugees: You are asking us to identify the needles in the haystack. That is a very difficult task to identify the needles in the haystack. But if we could get that done, the far more difficult task is to identify the hay that will become needles.

We have seen that pop up second generation, I will say, immigrants from that part of the world that adhere to the philosophy that believes that they can impose Sharia law on America through violence. And even James Comey has said: You are asking us to sort out the hay that would become needles later on. That is the second generation terrorists that have attacked us.

So it is a difficult task in a war, Mr. Speaker, that has gone on for 1,400 years. We don't recognize it as a war that has gone on for 1,400 years, but they do.

Then I see legislation that is coming at us in the form of, first, H–2B legislation in a continuing resolution, Mr. Speaker—H–2B legislation. That is low-skilled workers. The highest unemployment rates we have in America are the lowest skilled workers that we have. Double-digit unemployment in the lowest skilled workers that we have in this country. The last thing we need in America are more people that have less skills, but that is what is pouring across our borders in legal and illegal immigration.

We are essentially a welfare state. We have 94.6 million Americans of working age who are simply not in the workforce, and there are another—not quite 9 million—that are on unemployment. So we are 103 million or 104 million Americans of working age who are not in the workforce. Yet, we are watching the entitlements grow and grow and grow and swallow up our budget. So Medicare, Medicaid, and Social Security—all of them—are on autopilot for spending.

What do we do when we are trying to keep up with the spending from those three?

We go borrow the money from the Chinese or borrow the money from the Saudis. By the way, half the money that we are borrowing that is this $19.4 trillion in national debt, half of that is borrowed from the American people who have bought the bonds and decided they are going to invest in America's future as if somehow this was an all-out effort like World War II was. Well, it may be because we are under historically low interest rates. If interest rates should double or triple—and they could easily do that, and they would not be in historic places if they did that—we would watch a collapse on our cash flow and a collapse in our budget.

Yet, this Nation has got its borders open and this Nation is bringing in more and more legal immigrants and this Nation is not protecting its borders from illegal immigration. They have turned the border patrol into the welcome wagon. And now we are poised here wondering: Is our leadership going to want to serve up an expansion of H–2Bs as they did a year ago in the C.R. that came down?

I oppose that, Mr. Speaker. We can't be expanding legal immigration. We don't know who the next President is going to be, but if it is Donald Trump, he is not going to be for this.

So is this an effort to try to hustle something through that Barack Obama will sign that the next President may not?

That is H–2Bs.

H–1Bs, for example, are being abused and they are being abused grossly. We are seeing examples of sometimes hundreds of employees who are being laid off that are charged with the responsibility of training their foreign immigrant replacement that is coming in on an H–1B because the employer can hire cheap labor out of places like India and bring them into the United States and lay off more Americans after those Americans train their incoming workers that will work for a cheaper rate. This is the kind of country that we are building. So we end up with more and more people in that 103 million to 104 million people who are of working age who are simply not in the workforce while all of that is going on. We are requiring companies like maybe Disney, for example, to those employees on their way out of the door: We are laying you off, but, first, do you want to train your employee, your replacement that is coming in on an H–1B?

The H–1B program is abused. The H–2B is bringing in more of a surplus of what we already have, a surplus of unskilled workers. The H–1B program is being used and it is laying off American workers and green card holders that are sitting there now doing jobs that Americans will do. By the way, there isn't any job Americans won't do. They are doing jobs by definition that Americans will do, being required to train their replacements. I think that is wrong. I think it is a crime for a company to require an employee to train their replacement worker while their worker is being replaced by a visa program that is designed to bring in high school people to establish a need that presumably exists within our economy.

How could there be any need for employees in our economy when you have over 100 million people that are of working age and simply not in the workforce?

And then we get to the EB–5 program, Mr. Speaker, the EB–5 program, the investors visa, that was set up a quarter of century or so ago and said that if you have $1 million and you can create 10 jobs investing and establishing an enterprise in America, we will give you a pass coming into the United States. A quarter of a century ago, $1 million was real money. Today it is still real money to a lot of people in America, but not so much as it was then. If you are going into a stressed area, an economically disadvantaged area, you can get by with half a million dollars.

I am seeing programs like here comes—let me see—here comes 30—no, say 29—29 Chinese each with half a million dollars that bundle that money all together and maybe team up with one American. Now they have a business enterprise. Now we have 29 new Americans—Chinese—it will be the rich Chinese that are buying a path to citizenship here. Once they do that, then they can begin that family reunification plan and begin bringing their family back into the United States, too.

I am seeing enterprises where an investment in, let's say, a commercial

building takes a pool of—it is a $30 million investment and it takes a pool of 60 Chinese with half a million dollars each to build this commercial building, they then become conceivably partners in that, and they have a path into the United States. We are selling citizenship. There is a price on it.

And on top of that, we have birth tourism, Mr. Speaker, birth tourism that these numbers will be a little old, 3, 4, or 5 years old where—and I am focusing on the Chinese at this point—a turnkey operation. If you have $30,000 and you are a pregnant Chinese woman, you can fly to, conceivably, California, most likely, and be put up there in housing and have your baby. Your baby gets a birth certificate. You can fly back to China. And when that baby becomes 18, then can begin the family reunification program and the extended family and all can be hauled into America—a $30,000 turnkey. But you have to wait for 18 years before that baby is old enough.

□ 2015

If you can't wait, don't want to wait, and you have got the money, you can lay $500,000 down on the barrelhead, cash on the barrelhead, and get a path into America, a green card and citizenship.

These programs are just wrong. The EB–5 program should be ended; it should be sunset.

If we have to make concessions on H–2B, we don't need to make them. We should not make immigration decisions in a CR. We ought not make them in a treaty. We ought not make them in a CR, and we ought not make them in a lameduck. Immigration decisions should be made subject to the pen, the signature of the next President of the United States. They need to have the considered judgment of the House of Representatives and of the Senate, Mr. Speaker. I will push that we do only the minimum in a lameduck, if we have to do anything at all.

I would promote that a continuing resolution could kick us into the early part of next year, when we have a new Congress seated, when we have a new President that is inaugurated and sworn into office, and that the will of the American people can be reflected in the large initiatives that would be advanced by the House of Representatives, by the United States Senate, and by the next President that should reflect the will of the people.

All of this, Mr. Speaker, is our charge and our responsibility because we have taken an oath to support and defend the Constitution of the United States of America. It is our duty, and we owe the people in this country our best effort and our best judgment. Our best effort and our best judgment includes: we listen to them; we gather all the information that we can; we look into the crystal ball of the future as far as we can; and, with good and clear conscience and good judgment, we make those decisions that reflect their will that is within the confines of the Constitution, that fit within free enterprise, then lay down a foundation for America's destiny so that we can be ever-stronger in the future and so that we can have an ascending destiny rather than a descending destiny.

With all of that, Mr. Speaker, I thank you for your attention. I yield back the balance of my time.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3590, HALT TAX INCREASES ON THE MIDDLE CLASS AND SENIORS ACT

Mr. BURGESS (during the Special Order of Mr. KING of Iowa), from the Committee on Rules, submitted a privileged report (Rept. No. 114–741) on the resolution (H. Res. 858) providing for consideration of the bill (H.R. 3590) to amend the Internal Revenue Code of 1986 to repeal the increase in the income threshold used in determining the deduction for medical care, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5620, VA ACCOUNTABILITY FIRST AND APPEALS MODERNIZATION ACT OF 2016

Mr. BURGESS (during the Special Order of Mr. KING of Iowa), from the Committee on Rules, submitted a privileged report (Rept. No. 114–742) on the resolution (H. Res. 859) providing for consideration of the bill (H.R. 5620) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from New York (Mr. JEFFRIES) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. JEFFRIES. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include any extraneous material on the subject of this Special Order.

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

There was no objection.

Mr. JEFFRIES. Mr. Speaker, it is with great honor that I rise today once again to help coanchor, along with my distinguished colleague Representative JOYCE BEATTY, this Congressional Black Caucus Special Order hour where, for the next 60 minutes, we have an opportunity to speak directly to the American people on issues of great importance to the Congressional Black Caucus, to the House of Representatives, to the districts that we represent collectively, as well as to the United States of America.

It is a very special week for us, and we are going to spend some time during the next 60 minutes discussing the trajectory of the Congressional Black Caucus, which has been serving in this body for the better part of the last 45 years.

The Congressional Black Caucus was formally established on March 30, 1971, by 13 pioneering Members who had a vision of making sure that, within this great Article I institution, there was a body that could speak directly to the hopes, the dreams, the needs, and the aspirations of the African American people and all those underrepresented communities throughout America. We are going to talk a bit about that journey, about the accomplishments, and about the challenges that still remain.

I want to yield now to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), one of the very distinguished members of the Congressional Black Caucus, who happens to be the ranking member of the Science, Space, and Technology Committee and has ably represented the 30th Congressional District in Texas, anchored in Dallas, for almost 25 years. It has been an honor and a privilege for me and for others to work with her, to learn from her, and to be mentored by her.

Ms. EDDIE BERNICE JOHNSON of Texas. Thank you very much. Mr. Speaker, I would like to congratulate the leaders of the Special Order tonight, Congresswoman JOYCE BEATTY and Congressman HAKEEM JEFFRIES.

Mr. Speaker, as a proud member of the Congressional Black Caucus, I am proud to recognize the contributions of the CBC and its members after 45 years of service to the United States Congress and our Nation and, really, the world.

The CBC was founded March 30, 1971, with the chief objective of bringing awareness to the issues facing Black America and addressing the concerns of longstanding inequality in opportunity for African Americans.

We have an original member who is retiring this year, the Honorable CHARLES B. RANGEL. The most senior Member in this House is one of the original members, the Honorable JOHN CONYERS.

Today, the Congressional Black Caucus has grown to become a fundamental institution within Congress. From voting rights and gun violence to poverty in America and justice reform, the CBC engages on multiple fronts to address the plethora of issues facing our Nation and the world.

To date, we have had a string of able leaders chair the CBC, and I am proud to have been one of them from 2001 to 2003. Currently, as co-chair of the CBC Technology and Infrastructure Investment Task Force and a member of numerous other CBC task forces, I am

proud of the progress that we have been able to achieve through our coordination and cooperation with the Members of the Congress, stakeholders, and the community. History has proven that the importance of the CBC endures even today as we face new challenges to voting rights and experience new strife within our communities.

Mr. Speaker, the Congressional Black Caucus serves as a key voice in Congress for people of color and vulnerable communities. Together, the CBC and its allies have paved the way for new progress as we face the challenges of the 21st century. Our promise that was first made in 1971 to give the voiceless a voice is continually fulfilled through the CBC's work, and I look forward to keeping up with our fight to preserve liberty and equal justice for all. We have come from promise to progress.

Mr. JEFFRIES. I thank the distinguished gentlewoman from the great Lone Star State for her eloquent words and observations and, of course, for her leadership not just in the Congress, but for her past leadership as a distinguished former chair of the Congressional Black Caucus.

It is now my honor and my privilege to yield to the distinguished gentlewoman from the great State of Ohio (Mrs. BEATTY), my classmate, who is one of the most distinguished Members of the House of Representatives. She had an incredible career before she arrived here in the Congress as a leader in the Ohio Legislature, as a successful small-business woman, as a university administrator at The Ohio State University, and in so many other ways, and then, of course, has taken the House of Representatives by storm since her arrival as part of the class of 2012.

Mrs. BEATTY. I thank the gentleman. Mr. Speaker, to my colleague, I am so honored to be here tonight speaking in this Chamber and to the American people about the Congressional Black Caucus: 45 years of leadership, from promise to progress.

You have heard my distinguished colleague and coanchor of our Special Order hour, Congressman HAKEEM JEFFRIES, tell and share with us the history of our beginning of the Congressional Black Caucus back on March 30, 1971. We have heard the distinguished gentlewoman from Texas share with us about our members who had the foresight and the vision. What she didn't tell you was that she was the first African American nurse to be elected and to serve in this Congress.

Somewhere along the line, Mr. Speaker, I am sure in our rich history someone made the promise that, in the future, we would have a Shirley Chisholm, the promise that some little girl would be able to come to this Congress and serve, and that became a reality with Shirley Chisholm. I am sure some mother said the promise should be that a woman should lead us as a nurse, and then came Congresswoman EDDIE BERNICE JOHNSON.

You see, Mr. Speaker, the Congressional Black Caucus has been committed to advancing equity and access and equal protection under the law for Black Americans. And while we were established March 30, 1971, it was on that day that a Congressman by the name of Charles C. Diggs, Jr., a Democrat from the great State of Michigan, presented the statement to the President of the United States, which included more than 60 recommendations for executive action on issues for Black America and set the foundation for the promise and the progress of African Americans.

We heard my distinguished colleague talk about the hopes and the needs and the dreams. Those were the promises. And that is why it is so important for us to come today and talk about the progress that we have made.

Even though you will hear us say 1971, when the Congressional Black Caucus was established, we can trace our legislative history back further through the civil rights efforts of the 1960s, which included such landmark victories as the Civil Rights Act of 1964 and the Voting Rights Act of 1965, which we still champion today. Those legislative policy victories of the past demonstrate that when people speak with a singular, powerful voice, Mr. Speaker, we can have a government that works for us; we can fulfill our country's pledge and promise of liberty and justice for all.

It was through that statement that the Congressional Black Caucus began its history of advocacy on behalf of the African American community. Since then, for the last 45 years, the Congressional Black Caucus has been the voice for people of color and at-risk communities in our different districts. We have been and remain committed to utilizing the full constitutional power, statutory authority, and financial resources of the government to ensure that everyone has the opportunity to achieve the promise of the American Dream, Mr. Speaker.

From promise to progress gave us the first African American to hold the distinction of dean of this House, the most senior Member of Congress; and the first African American to swear in the Speaker of the United States House of Representatives was Congressional Black Caucus member Congressman JOHN CONYERS.

From promise to progress has given us a motivating book, ''Blessed Experiences: Genuinely Southern, Proudly Black,'' a story of inspirational words on how an African American boy from the Jim Crow-era South was able to beat the odds, Mr. Speaker, to achieve great success and become, as President Barack Obama describes him, ''One of a handful of people who, when they speak, the entire Congress listens,'' assistant Democratic leader and the third highest ranking Democrat in the House of Representatives, Congressman JAMES E. CLYBURN.

The 21st president, national president of the largest African American female sorority serves here with us, Congresswoman MARCIA FUDGE from the 11th Congressional District of my State.

□ 2030

From promise to progress, Mr. Speaker, has given us the first Black woman elected to Congress from Alabama and the only Democrat in Alabama's seven-member congressional delegation. That is Congresswoman TERRI SEWELL. Her first piece of successful legislation recognized the four little girls who tragically lost their lives during the bombing of the 16th Street Baptist Church.

Mr. Speaker, I hope you can see why it is important for us to be here and to talk about the many promises and, more significantly and of greater importance, the progress that we have made. We are one of the largest Member organizations in the United States House of Representatives, making up 23 percent of the House Democratic Caucus and 10 percent of the entire United States House of Representatives.

Mr. Speaker, when I think of where the Congressional Black Caucus is today, I think of the shoulders that we stand on. Fifty-one years later, I think of Bloody Sunday where on March 7, 1965, some 600 peaceful participants in a voting rights march from Selma, Alabama, to the State capital in Montgomery were violently attacked by Alabama State Troopers with nightsticks, tear gas, whips, and dogs, as they attempted to cross the Edmund Pettus Bridge. These brave men and women, Mr. Speaker, were led by civil rights champion, Congressman JOHN LEWIS from the Fifth District of Georgia. What a great example of promise to progress.

Last year, I had the distinct honor of joining nearly 300,000 others, including 90 bipartisan lawmakers, distinguished guests, civil rights activists, and former Presidents of these United States as we marched, commemorating the 50th anniversary of Bloody Sunday over that Edmund Pettus Bridge, marching ourselves from Selma to Montgomery, Alabama, from promises to progress.

Let me say or remind you again—and I want America to know—there were 90 bipartisan Members. That means Democrats and Republicans. I could say bicameral—Democrat and Republican Senators and Members of this great body that we serve in. Certainly, as we marched and they joined us, they were making a commitment to the progress from those promises that were made 50-some years ago.

We come here tonight, my colleague and I, representing the Congressional Black Caucus because we want you, Mr. Speaker, and America to know that when we reflect on our history, it is our culture, it is our passion, and it is our reason and resolve for standing here and standing up for the issues and the legislation that we believe in, that we write and we support. We think it is

important for you to have a better understanding why so often we come here and ask that we join together.

Mr. Speaker, when I think of our history, I reflect on names like Frederick Douglass, a historic social reformer and statesman; Shirley Chisholm, as I mentioned earlier, the first African American woman elected to the United States Congress; and, yes, Rosa Parks, the mother of the modern civil rights movement.

You see, Rosa Parks embodied courage, and she inspired me as a mentor when she refused to give up her seat on a Montgomery, Alabama, bus to a White passenger on December 1, 1955. Some would say she was tired, but I say to you that she was tired not from her day's work as a seamstress, but she was tired from the injustices. I have followed her whole career and was so inspired by her that I wrote the first legislation when I served in the Ohio House of Representatives in this country to honor her on that December 1. Every day since then, I go back to the district and we honor her. You see, she sat down against the odds for something she believed in. I have carried that with me over the years, realizing that there could be a day, but never dreaming that it would be here in this Congress that I, too, would be willing to sit down for something that I believed in.

Mr. Speaker, there have been so many issues that I have done that because I want us to have the progress from the promises that I make to my district. The progress, whether it is gun safety, whether it is the progress of making sure that every child has enough food when they go to bed, whether it is making sure that there is an affordable college education for every child that is able to go, whether it is making sure that there is equal pay for equal work, those are just a few of the things that I wanted to make sure that we talked about.

Mr. Speaker, it is so important for us to tell our story, our history, and our culture. Hopefully, tonight is more than us just talking. Hopefully, tonight will help Members and the public understand our history and our passion.

This week, lastly, let me say how honored I am to be in Washington, D.C., when more than 10,000 people will come to our Congressional Black Caucus Foundation Annual Legislative Conference where we will talk about the issues and we will educate emerging leaders and civil rights leaders, not just all individuals of color. There will be individuals of all backgrounds, races, and ethnicities that will join us in our commitment to fulfill those promises on the progress that we would like to have.

We will open the National African American Museum. What an honor it will be to see the great achievements and contributions for those who have so courageously pushed the boundaries and moved our country forward in the name of justice and equality.

When I think about moving forward, I cannot help but reflect on the 44th President of these United States. Like many of us—and, Mr. Speaker, maybe even like you—he worked his way through school with the help of scholarship money and a student loan. Yet, maybe it was the progress and the promise of progress that a Martin Luther King, Jr., wanted when he said that he hoped his four children would not be judged by the color of their skin, but the content of their character. Maybe that is why a young Barack Obama pushed forward, went back to his community, and worked and gave service, which is the word that he likes to use so much. It was the service back to the movement and to his community in Chicago; that gave us the progress of having our first African American President, a scholar, someone who has had many firsts.

So I say to you that it is indeed my honor that I can stand here on this floor with my colleague as we move forward, the progress as we move forward on the promises of our colleagues.

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished gentlewoman from Ohio for laying out both the history of the Congressional Black Caucus as well as documenting what current membership continues to do and breaks new ground here in the House of Representatives on behalf of the people that they are charged to represent in this august body, as well as on behalf of the great Nation that we are all privileged to serve.

As Representative BEATTY mentioned, there were 13 individuals who had the vision and the foresight to found the Congressional Black Caucus back in March of 1971. The actual founding took place at a meeting between those 13 Members and President Richard Nixon, where the President was presented, by the newly formed Congressional Black Caucus, a statement of requests, goals, objectives, and demands related to the plight of African Americans here in these United States of America. The Congressional Black Caucus was founded on the premise that it was necessary to speak truth to power, given the unique plight of African Americans in this country.

As was mentioned by Representative BEATTY, there are two founding members who still serve in the House of Representatives; Representative JOHN CONYERS from Detroit, Michigan, and, of course, CHARLIE RANGEL, the Lion of Lenox Avenue, the first African American ever to chair the Ways and Means Committee in this institution, a prolific legislator here in the House who has announced earlier this year his intention to retire.

I am proud to serve a district that was once represented in part by the Honorable Shirley Chisholm, the first African American woman ever elected to the House of Representatives in a district in Brooklyn in 1968. She came here indicating that she was unbought and unbossed, and that tradition has been continued by people like MAXINE WATERS, MARCIA FUDGE, JOYCE BEATTY, and so many others who represent their district with passion and with integrity.

The question has been asked: Why is there a need for a Congressional Black Caucus? We have come a long way in America. We have made a lot of progress. The 44th President of the United States of America happens to be African American. Why is there a need for a Congressional Black Caucus?

That question was asked in 1971, of course. I think it takes an understanding of the unique journey of African Americans in this country to understand why the Congressional Black Caucus was first founded in 1971 and why it still remains relevant today.

This country was founded, of course, on high-minded principles of liberty and justice for all and the notion that all men are created equally and were endowed with certain inalienable rights by the great democratic republic that was birthed by the Founding Fathers of this Nation.

As many have observed, notwithstanding the tremendous nature of the principles embedded in the birth of this country, there was also a genetic defect on the question of race. That genetic defect first took the form, of course, of chattel slavery, which was one of the worst crimes ever perpetrated against humanity, resulting in the loss of tens of millions of individuals killed during the middle passage and the systemic oppression of African Americans, the kidnap, the rape, the enslavement here in the United States of America. This happened at the same time when the country was founded on these great, high-minded principles.

Of course, the question of slavery was finally resolved with the victory of the North in 1865. The North, of course, was fighting the South in the Confederacy. The Confederacy has been put to rest, although some people still want to uplift the Confederate battle flag. That is an issue for another day.

Slavery was put to rest. Then in an effort to correct the defect in our democracy, the 13th Amendment ending and outlawing chattel slavery was passed and added to the Constitution; the 14th Amendment, equal protection under the law; and the 15th Amendment related to the right to vote for African Americans. The so-called reconstruction amendments took place.

□ 2045

But then, thereafter, something interesting happened. We were on the pathway to fulfilling the great promise of a colorblind society in America, but then the North pulled out of the South, the Reconstruction era ended, and it was replaced systematically with a system of Jim Crow, enforced segregation of the races, and the suppression of African Americans largely in the Deep South, notwithstanding the high-minded principles that were just embedded

in the United States Constitution related to the 14th Amendment and the Equal Protection Clause and the 15th Amendment and the right to vote. Those were just words on a piece of paper, as far as many people were concerned in the Deep South who were perpetuating Jim Crow segregation.

That Jim Crow segregation, of course, was accompanied by a lynching epidemic that claimed the lives of thousands of individuals, race riots directed at successful African Americans and African American communities, and so many other things that were documented in this country.

Why is there a need for a Congressional Black Caucus? The country was founded under these great high-minded principles, but, at the same time on this journey, we have gone from slavery, a brief period of Reconstruction, into the Jim Crow era.

As Representative JOYCE BEATTY so eloquently documented, in terms of the legislative efforts of African American Members who were here in partnership with people of goodwill of all races, Democrats and Republicans, we passed the 1964 Civil Rights Act here in this Congress endeavoring to end Jim Crow segregation, passed the 1965 Voting Rights Act here in this Congress to try to bring to life the 15th Amendment, largely ignored in many parts of this country, and then of course in 1968 passed the Fair Housing Act.

Then an interesting thing happened. You have a President who is elected in the aftermath of the assassination of Robert F. Kennedy, Jr., the Senator from New York, and Dr. Martin Luther King, Jr., the great civil rights leader on what he terms a Southern strategy of trying to capitalize on White backlash against the progress that has been made by African Americans.

I am trying to figure out what was the nature of the backlash? The progress that was made was a Civil Rights Act to try to deal with the Jim Crow segregation that some people put into place in the aftermath of the end of slavery, and the 1965 Voting Rights Act that was put into place in order to try to bring to life the fact that there were people intentionally ignoring the 15th Amendment to the United States Constitution. Why is there a need for a Congressional Black Caucus?

So we moved from slavery into Jim Crow, and that is all dealt with for a brief period in the 1960s in terms of the Civil Rights Act and the Voting Rights Act, the Fair Housing Act, but then we enter into this interesting period where Richard Nixon is elected on a strategy that played to the racial fears and anxieties of some in America. I don't want to get in trouble by putting a percentage onto it, but played into the anxieties and fears of some in America. History often repeats itself.

And so the Congressional Black Caucus in 1971 made the decision that they were going to place a list of demands on the table for Richard Nixon to deal with, given this history. Little did they know—or perhaps they suspected—that in that same year what I would call the third defect that America has had to grapple with in terms of the African American community as compared to its high-minded aspirations was about to be visited on communities of color, and that was mass incarceration.

It was in that year in 1971 where Richard Nixon declared a war on drugs by stating that drug abuse was public enemy number one. At the time in America, there were less than 350,000 people incarcerated in this country. Today, there are more than 2.1 million, the overwhelming majority of whom are Black and Latino. We know that African Americans are consistently incarcerated at levels much higher than others in the United States, notwithstanding a similar level of criminality as it relates to the crime that was committed, the activity that was engaged in, and the conduct that was prosecuted. The disparities are objectively clear.

Mass incarceration has been devastating for African American communities all across this country, and it is shameful that America incarcerates more people here in the United States than any other country in the world. We incarcerate more people than Russia and China combined. This overcriminalization is something that I am hopeful we can deal with in this Congress before this President leaves and then continue to work with the next President of the United States of America.

So people ask the question: Why do we need a Congressional Black Caucus? We have gone from slavery, a brief interruption with the Reconstruction Amendments into Jim Crow for another 100 years, 14th Amendment and 15th Amendment are ignored in large parts of the country, and then we get an interruption. Some progress was made with the 1964 Civil Rights Act, the 1965 Voting Rights Act, and the 1968 Fair Housing Act. Then we get Richard Nixon. And the Congressional Black Caucus is founded at the same time.

For the last 45 years, we have been dealing with mass incarceration. But notwithstanding the intensity of the systematic issues put upon the African American community, we have seen tremendous progress during that same period of time because of Members like William Clay, Sr., a founder from St. Louis, or Louis Stokes from Cleveland, Ohio, and Augustus Hawkins from Los Angeles, people who understood that when Abraham Lincoln asked the question, how do we create a more perfect Union, and he asked that question in the context of the Civil War that was raging at the time, that America is a constant work in progress. And year after year, decade after decade, century after century, we can improve upon who we are, but there is still a lot more that needs to be done.

Thankfully, we have seen increases in educational attainment, increases in employment over the last 8 years in the African American community since the height of the Great Recession, and we have seen a return of some of the homeownership that was lost during the recession, but there are still a lot of things that need to be done. And so a Congressional Black Caucus which has grown from the 13 original founding members to 46 members today, 45 in the House of Representatives, 1 of whom is a Republican, and a 46th member who serves in the United States Senate.

We stand on the shoulders of these founding members, proud of what has been accomplished like the effort led by Ron Dellums which resulted in legislation to push back against the racist apartheid regime in 1986, a bill that was vetoed by Ronald Reagan, and then overridden by Democrats and Republicans in the House and the Senate, the first foreign policy bill overridden in the Congress passed by Ron Dellums that led the effort related to South African apartheid.

So many issues have been championed by the founding members. JOHN CONYERS held a series of hearings on the issue of police brutality. It is ironic that right now, along with Chairman BOB GOODLATTE, they are leading a bipartisan task force on police community relations to deal with what I view, at least, as an epidemic of police violence directed at unarmed African American men across this country, but JOHN CONYERS was involved in that effort in the early 1970s.

And so there is a lot of things that we have been able to work on during this 45-year journey. Tremendous progress has been made, despite the efforts to paint the community as overrun by some out there in this country as a thriving Black middle class. A successful group of entrepreneurs, professionals, lawyers, doctors, engineers, scientists, and so many others have shown what can be done based on their promise and their potential despite the obstacles that exist as we move toward a more colorblind society. But we, of course, are not there yet.

That is why we are of the view that, despite the fact that we have made tremendous progress in America, we still have a way to go. There is still a need, an urgent need for a Congressional Black Caucus, which has often stood up not just on behalf of African Americans but has stood up on behalf of those who are the least, the lost, and the left-behind in the United States of America, regardless of color.

That is why the Congressional Black Caucus has been known over these four decades as the conscience of the Congress, and it has been an honor and a privilege for me, during my two terms, to serve in this august body.

I want to yield for a moment to my colleague, Representative JOYCE BEATTY, and perhaps ask the question: What are some of the issues that you think are pressing as it relates to the Congressional Black Caucus moving

forward, and what do you say to critics who make the argument, why is there a need for African Americans in the Congress to get together at this point on behalf of the communities we were elected to represent? Is there still a need for a Congressional Black Caucus in 2016?

Mrs. BEATTY. Mr. Speaker, let me just say thank you to Congressman JEFFRIES for that question. If I think of one of my favorite quotes by Shirley Chisholm, Mr. Speaker, she said: ''You don't make progress by standing on the sidelines . . . you make progress by implementing ideas.''

That is what the Congressional Black Caucus does. We don't just come here on the floor and talk about our rich history. We meet, and we strategize, and we go back home to our districts, and we come back, and we write legislation, so there is definitely a need. And I think it will be witnessed all across this country this week when the thousands of thousands of individuals come here because they will have an opportunity to see Congressman CHARLIE RANGEL or Congresswoman MAXINE WATERS or Congresswoman ROBIN KELLY because of the issues and what they stand for, and that is why there is a need.

When I think of our commitment and conviction, Mr. Speaker, I remember when Congresswoman ROBIN KELLY said: I won't stand up for moments of silence again until we do something about the shootings and the deaths. She had the courage to walk up to the well and say: I am not being disrespectful, but I want us to really stand for something.

So, yes, I want us to have gun safety. I want us to have legislation because we have bipartisan legislation. I want us to bring that to the floor, so I can say in my district, I am standing up for families, I am standing up for safety.

□ 2100

You mentioned prison reform. I want us to look at how we can come together as Democrats and Republicans, Mr. Speaker, and pass some bipartisan legislation.

When I think of the Congressional Black Caucus and what we represent, when you add it all up together, we cover some 21 States, the District of Columbia, and the Virgin Islands, and we represent some 31 million people. Over half of our Congressional Black Caucus membership are lawyers, people who have studied the laws and understand the procedures and the rules and the regulations.

So, yes, there is a need for us to continue the journey. There is a need for us to listen to one another. You see, Mr. Speaker, we don't come here tonight to just talk about us as 46 members of the Congressional Black Caucus. We come here to leave you with a message and to speak to America to say: Just think of what we could do if we worked together. Just think about when you go back home to your district and you say you want us to be safe and you want us to have equal and fair rights; you talk about wanting your children and families to be healthy and educated.

So, you see, we have the same message, it seems, until we come to the floor. That is why we come here tonight with strong messages—because we want to make sure that you understand that we believe that we could work together.

This week—again, I will say it repeatedly, because it is so important to us—we will have brain trust sessions, Mr. JEFFRIES, that will talk about how long we have been in this fight for progress for health care, how long we have been in this fight for criminal justice. We will also have workshops like financial literacy and financial services. If we don't come together to educate our communities and our people, if we don't come together to share with you, I believe that we won't be able to understand one another.

So the answer is yes and yes: yes, there is a lot of work to continue to be done; and yes, we need to continue to have a Congressional Black Caucus.

Mr. JEFFRIES. I mentioned during my remarks that we have been on this journey of the 15th Amendment to the United States Constitution to try to guarantee the right to vote, regardless of race, coming out of the oppression of chattel slavery. And then we moved, Representative BEATTY, from the 15th Amendment to this Jim Crow period and the 1965 Voting Rights Act to try to bring to life what is a fundamental tenet of American democracy, which is the ability of the people to represent those who will represent them in government—government of the people, by the people, and for the people.

But yet, as a result of a recent Supreme Court decision, Shelby County v. Holder, the 1965 Voting Rights Act, section 4 and section 5, the preclearance provisions, have been eviscerated because of, in my view, an inappropriate reading of that statute relative to the United States Constitution.

So the Congressional Black Caucus continues to fight to uplift for all Americans the ability to participate in our democracy. The shame is that voting in this country seems to have become a partisan issue, notwithstanding the fact that the Voting Rights Act has a great bipartisan tradition. It was passed with the support of Democrats and Republicans because, of course, we know at the time there were Dixiecrats in this Congress—Democrats, by registration, in the Deep South who fought hard against voting rights. So it took Republicans on the other side of the aisle in both the House and the Senate in order to get the legislation passed.

It is interesting to me that, every year, the Voting Rights Act was reauthorized. Four times it was signed back into law by a Republican President: in 1970, Richard Nixon; 1975, Gerald Ford; 1982, Ronald Reagan; 2006, George W. Bush.

So when we come to the floor of the House of Representatives or when I sit on the Judiciary Committee or we work with JOHN LEWIS and JOHN CONYERS and TERRI SEWELL and JIM CLYBURN and others to try to move voting rights legislation forward, we are just saying: return to the great bipartisan tradition of making sure that every single American in this country has an opportunity to participate in the right to vote.

Until that happens, the Congressional Black Caucus has an urgent issue that we need to deal with for the communities that we represent in African American or Latino neighborhoods and for all Americans.

The other thing I will point out and ask my colleague to perhaps react to is that what I found fascinating here in terms of common ground, the opportunity to uplift everyone through the mission and the work of the Congressional Black Caucus, is the fact that when you look at persistently poor counties in America, counties that will be defined as 20 percent or more of the population living below the poverty line for 30 or more years, persistently poor counties, a majority of those counties are represented by Republicans in the House of Representatives and not by Democrats.

So when JIM CLYBURN, for instance, presents things like 10–20–30, a funding formula where 10 percent of any funding allocation will be given to communities where 20 percent or more of that county has been living below the poverty line for 30 or more years, it would actually benefit Republican-represented counties more than it would Democrat-represented counties. This is because the Congressional Black Caucus really is interested in uplifting the plight of all Americans who have been left behind. We are hoping that we can find some bipartisan cooperation in that area as well.

I yield to Representative JOYCE BEATTY.

Mrs. BEATTY. Thank you, Congressman JEFFRIES, for mentioning 10–20–30. You are absolutely right that it would benefit Republican districts and their constituents more than many of our constituents. But I think that is because, when we think of poverty, we think of children and families living in poverty, not Democrats, not Republicans. Our mission here, Mr. Speaker, is to make this place a better place through our legislation for everyone. So I think that is just one example.

You mentioned a lot about our history and how far we have come and the roles of other Presidents. I think it is important, Mr. Speaker, for us to also share that we come here tonight almost with a proposition to say to you: We want to work with you on those issues that we have highlighted.

So often when we come here, we will hear colleagues say ''We can't work together,'' ''We don't work together,'' or, ''Why don't you just come and work with us?'' I don't want us to leave tonight without leaving the message that

we have a lot of work that still needs to be done.

I can remember reading back in 1971, Congressman JEFFRIES, when Richard Nixon was giving his first inaugural address, he refused to meet with the members of the Congressional Black Caucus. They stood up for something. They left the floor and did not stay for his address to the Nation. I say that with mixed feelings, but I say that to make the point of how strongly we believe in what we do.

You mentioned the 10–20–30 plan. We had Speaker RYAN come to the Congressional Black Caucus and hear the plan, to get a commitment from him. He represents all of us; and he gave us the nod, as you will remember, on that plan.

So I say tonight, let us reflect on all the things that my colleague and the coanchor of this Special Order hour said, because that is what it is. It is our hour to address you, Mr. Speaker, and the Nation about so many of the issues that we want to make sure that, when we leave here, we are not leaving with just promises, but we are leaving with progress.

Mr. JEFFRIES. Thank you for those very thoughtful observations.

Perhaps I will end by talking for a moment or so about the progress that we have made under a former member of the Congressional Black Caucus who was a Senator from Illinois and here in the Capitol for a few years before he was elected to be the 44th President of the United States of America. We are proud that he came through the CBC on his way to 1600 Pennsylvania Avenue.

Upon his election, there was the view that perhaps we were entering into a phase of a post-racial society. I think we understand that that was probably irrationally optimistic of those who made that observation because of the long history that we detailed here of what the African American journey has been in America.

But I find it interesting that so many people, to this day, refuse to give this President credit for the progress that has been made under his watch over the last 8 years. There have been more than 75 or so consecutive months of private sector job creation under this President. More than 14 million private sector jobs have been created under this President.

Parenthetically, I make the observation that, under the 8 years of George Bush, the country lost 650,000 jobs. But we are going to talk about a sluggish recovery. We lost 650,000 jobs under supply-side economic policies of George W. Bush. We have gained more than 14 million jobs under progressive policies of Barack Obama.

The deficit has been reduced by over $500 million. When the President came in, the stock market was at 6,000; now it is over 18,000. Of course, more than 20 million previously uninsured Americans now have health coverage under the Presidency of Barack Obama.

So he came in with a lot of promises, and I am proud that there has been tremendous progress that has been made for the United States of America as a whole, and certainly for African American communities.

As the President himself observed, the problems that we have to confront in America won't be resolved by one President during one term or even during an entire tenure, because we are on this long, necessary, and majestic march toward a more perfect Union. The hope is that, each time a President steps up and Congress is there to represent the will of the people, working on behalf of our constituents, we can make meaningful progress on dealing with the economic and social justice issues of the day.

Fundamentally, that is what the Congressional Black Caucus is all about. That was the vision that was put forth by those 13 Founders: speaking truth to power, representing the interests of the African American communities they were elected to serve—and everyone else—regardless of race, who is entitled to the fiercest possible representation in this democracy.

□ 2115

So it is with great pride that Representative BEATTY and I stand here today, as members of the Congressional Black Caucus, standing on the shoulders of those 13 founding members, under the current leadership of Representative G.K. BUTTERFIELD from North Carolina, representing this continuum of the African American journey, both here in Congress and in this great country; confident that, despite the obstacles that will consistently be erected that, as we have demonstrated over time during 45 years, we will make progress, we will translate promise into action, and we will continue the journey of perfecting a more perfect union in the United States of America.

Mr. Speaker, I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, as a founding member of the Congressional Black Caucus, I believe that the week of our Annual Legislative Conference is an appropriate time to reflect on the progress we have made as a group and the challenges we face in articulating a vision for a more free and fair America.

When 13 of us first gathered in 1969 as a ''Democratic Select Committee,'' we had ambitions of using our collective voices to advance a political agenda for black America in response to expected retrenchment from the incoming Nixon administration. Two years later, on the motion of Rep. Charlie Rangel, we became the Congressional Black Caucus.

In that time, the Caucus has gone from being on Nixon's ''original enemies list'' to the conscience of the Congress. Our membership has grown from 13 to 46 and our alumnae include numerous cabinet members and a President of the United States.

In looking back 45 years, the Caucus can point to many victories in the areas of voting rights, economic empowerment, education and healthcare. These victories were not just for black Americans, but all Americans in search of justice and equality before the law.

However, in reflecting on the history of the Caucus, we must be honest about the uneven nature of politics. Many of the challenges we faced in 1971 still burden the African-American community today. Black Americans are still disproportionately poor, under-educated, unemployed and incarcerated. Daily we confront the political challenges of how to ensure that the rising economic tide lifts the boats in our communities.

The more surprising challenge faced by the Caucus is mounted by those who would turn back the clock on some of our hardest won victories: namely those who would suppress our voting rights as a means of defeating a progressive agenda for equality. We beware of those who want to make ''America great again,'' harkening back to a past where Jim Crow and discrimination ruled the day.

This politics of division is one of our main challenges as a Caucus. Our nation once again finds itself at odds over the issue of race relations, most clearly illustrated by the issue of police accountability. A recent ABC poll found that a majority of Americans surveyed believed that race relations are bad and getting worse. With the election of the first African-American President, this is clearly not what we hoped for in this new millennium.

As the former Chairman and now Ranking Member of the House Judiciary Committee, I have dedicated my career to 3 goals to jobs, justice and peace. After decades of community complaints about police brutality, I chaired hearings in Los Angeles, New York City, and even Dallas which built the record for passage of marquee legislation like the 1994 ''Pattern and Practice'' statute, which gives the Department of Justice the authority to investigate law enforcement discrimination and abuse in cities like Ferguson and Baltimore.

The loss of lives in Baton Rouge, suburban St. Paul and Dallas, has left the nation in shock, as seemingly every day the media brings us news of violence borne of hate and intolerance. Modern technology and the advent of social media have made us all witnesses, just like the marches in Selma and Birmingham, making it impossible to dismiss them as fiction or some else's problem. We live these injustices first hand.

Vivid images of police abuse galvanized our national resolve to pass civil rights legislation, like the Voting Rights Act, and is putting all politicians on notice that simmering community unrest with the police has reached a turning point. Today, we represent communities that are increasingly unified, unafraid, and unwilling to wait. We have a growing coalition of allies. Some white, some Hispanic, some Asian, and some who serve as police and who want their badges to mean something more. The daily reminders of injustice have forced us to measure the distance between Dr. Kings' Dream and our own reality—but they also give us the resolve to close it for good.

Last year, the Judiciary Committee held a hearing on 21st Century Policing Strategies to begin addressing these issues at the Federal level. I also re-introduced both the End Racial Profiling Act and the Law Enforcement Trust and Integrity Act around the same time. The Republican Chairman of the Judiciary Committee and I are currently negotiating a version of the Law Enforcement Trust and Integrity Act and during the August recess, we joined together to form a bipartisan Congressional

working group—including three Caucus members—with a focus on finding common ground between police and the communities they are sworn to protect and serve.

The profound support for criminal justice reform I have seen from Members of the CBC and all sides of the political spectrum from across our country is something we need to build upon. It's not the only solution, but one of them.

As a Caucus, our work is far from done. We can't bring back Alton Sterling, Philando Castile, Tamir Rice, Eric Garner, or the hundreds of black men and women who've lost their lives to excessive force. And we can't bring back the officers in Dallas and Baton Rouge or others who've been killed while protecting their communities. But at a time when we face so much that challenges our faith and tries to break our spirit, we must dedicate ourselves in our 45th year to engaging the difficult issues to make lasting change in our communities.

History shows that Members of the Congressional Black Caucus have overcome great challenges. Now we have within us and beside us, an intentionally peaceful and unified community that is now better able to confront today's challenges than ever before.

A STEP BACKWARDS IN RACE RELATIONS AT CALIFORNIA STATE UNIVERSITY

The SPEAKER pro tempore (Mr. KNIGHT). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, it is always an honor to appear here on the House floor, especially following colleagues giving an important address.

I was saddened to see what seemed, in fact, to be a huge step backwards in racial relations.

''California State University Debuts Segregated Housing for Black Students.''

''California State University Los Angeles recently debuted segregated housing for Black students, a move intended to protect them from 'microaggressions,' according to the College Fix.

''Last year, Cal State L.A.'s Black Student Union wrote a letter to the university's president outlining a series of demands, including the 'creation and financial support of a CSLA housing space delegated for Black students and a full time Resident Director who can cater to the needs of Black students.'

'' 'Many Black CSLA students cannot afford to live in Alhambra or the surrounding area with the high prices of rent. A CSLA housing space delegated for Black students would provide a cheaper alternative housing solution for Black students. This space would also serve as a safe space for Black CSLA students to congregate, connect and learn from each other,' the letter stated.

Anyway, ''Robert Lopez, a spokesman for the university, confirmed to The College Fix that students' demand for housing specifically for Black students had been met, saying that the school's new Halisi Scholars Black Living-Learning Community 'focuses on academic excellence and learning experiences that are inclusive and nondiscriminatory.'

That seems to be a bit of anathema.

But anyway, ''Lopez said the Black student housing is within the existing residential complex on campus.

''The College Fix noted that other universities, including the University of California, Davis; the University of California, Berkeley; and University of Connecticut offer similar housing arrangements.''

It just seems like we are going backwards with that kind of thing.

I heard my colleagues mention the great dream—part of the great dream of Martin Luther King, Jr., a Christian, ordained Christian minister. As I have heard a Black minister explain recently, he was, first and foremost, above all a Christian minister. His belief in the Bible and his belief in Jesus Christ as a Savior was his guiding force, which brought him to the place that Jesus brought his disciples to, and that the Apostle Paul was brought to rather abruptly, and that is, Jesus did not discriminate against anyone and that we, who believe, as Christians, should follow those teachings and treat people equally, regardless of skin color. And that would help fulfill that part of Dr. King's dream, that people would be judged by the content of their character and not the color of their skin.

However, California has digressed, regressed to the point where no longer are they making progress toward racial harmony. They are going the other direction, saying that what we need is to segregate, like that great Democrat, George Wallace believed.

So it is unbelievable. We have supposed liberals in California not pursuing the dream of Dr. King, where people would be judged by the content of their character rather than the color of their skin; but we have these California universities that are now fulfilling the dream of the Democratic Party candidate, George Wallace, who felt like segregation in all things was the far better way to go.

So congratulations to the University of California System for helping fulfill the dream of George Wallace. What a wonderful combination we have. Not a progressive, as they might claim the name, but of regressives who are going back and claiming the dream, not of Dr. King, but of Democrat Party activist, George Wallace. Congratulations. You make a great pair, California University System, and George Wallace's dream. Wow.

CRIMINAL JUSTICE REFORM

Mr. GOHMERT. We also have had mention tonight of efforts toward what some call sentencing reform. I was honored back in 2007 to get a call from a man that I think the world of, former Attorney General Ed Meese. Apparently he had heard of my concerns about some of the Federal criminal laws that needed to be changed; that we had too many people in America who were being harassed and their lives or their families destroyed by Federal criminal law that allowed people to be prosecuted for violating, not a law that Congress had passed, but some regulation that some cubicle-holder had decided would be a good thing to do.

Unelected bureaucrats in Washington decided we will make this a regulation, and since Congress passed a law saying you have to follow all the laws and rules regarding this issue, we fall under the rules and regulations; therefore, they can go to prison for failing to do what we, as unelected bureaucrats in Washington, decided that someone somewhere we have never been must do.

So I was greatly in favor and encouraged to hear of the interest from the Heritage Foundation, former Attorney General Ed Meese, to pursue criminal justice reform.

We have had difficulty moving that forward, and I greatly appreciate the leadership of Judiciary Committee Chairman BOB GOODLATTE. We have been able to get through some criminal justice reforms that I have been hoping to see passed since 2007.

At times we made strange bedfellows, politically speaking, I guess, when we had Ed Meese and others from the Heritage Foundation, along with leaders from the ACLU, who had similar concerns that we did, and we were coming together to try to correct great injustices within the criminal justice laws.

Unfortunately, the President, probably inspired by mentors like George Soros, they see that before criminal justice reform could be passed, at least contemporaneously, you have to pass sentencing reform.

The Obama administration wants that to be a major part of the Obama legacy. And when you see how many people are being completely failed and harmed by ObamaCare, I can certainly understand why President Obama would rather have his legacy be that of something in the criminal justice area rather than ObamaCare.

Without—and I have to say, this has certainly damaged in a bipartisan fashion people across America. There are people who have been helped by having government pay a good part of their health care.

You look at the bottom line, especially, from the people I have heard from all over east Texas, we have vast numbers complaining they have lost their insurance they liked. They lost the doctor that was keeping them healthy or had gotten them cured, and now they were back in trouble. They lost the doctor or the insurance company, they lost the hospital they wanted to go to, all because of that around-2500-page monstrosity that is normally referred to as ObamaCare. It is easier to call it ObamaCare than the Affordable Care Act because it is not affordable. It has cost some people everything.

So we have heard from people. They are clamoring for a change.

Isn't there some way to let us get back the insurance we had before 2010, when the President and every Democrat, without a single Republican vote, rammed through, against the majority will of the American public, this monstrosity where the government took over their healthcare insurance, dictated requirements that would put many out of business, dictated requirements of doctors that have caused many to retire, as they have advised me?

And I continue to hear, and we continue to lose hospitals especially in rural areas.

□ 2130

But when you hear uncaring, big city folks say, ''We don't really care. Just tell them to move to the city,'' really? What? Like Chicago, where their chances of being murdered go up astronomically from where they are living now, where their standard of living can't possibly be where it is now? Do you despise these people so much and what many consider flyover territory that you would want to sentence them to such brutality? How about if we just let America be free again and we follow what so many have talked about?

It is why I had the bill drafted back in 2009. CBO Director Elmendorf, no matter what he asked, I complied, and they still refused to ever score my bill. Newt Gingrich had said back in early 2009: If you can just get this in bill form and get it scored, they won't have a chance of passing ObamaCare; this will be too good.

Because it appeared that the best numbers we could get back from 2008, it may well be cheaper to offer seniors: Okay, you want Medicare? You can have it. On the other hand, if you would like the very best health insurance policy that money can buy, we will buy it for you, but we will go ahead and set a high deductible.

Back then, we were talking $5,000 or so. Maybe today it would be $7,500 or $10,000. We will have a high deductible, but above that deductible. You will have the best insurance money can buy, Mr. or Ms. Senior. To cover the deductible, we will give you a health savings account. We will put the cash in there.

I made this proposal to a couple of folks that I had invited to come out and listen to the proposal from AARP. Since they cared about retired folks, I figured they will love this because this is going to be so good for retired people. They will never have to buy another wraparound or supplemental policy again. This is going to be unbelievable. So for Medicare and Medicaid, this will be fantastic, and we will give each one of them a health savings account debit card, and it will be coded only.

Newt Gingrich was very helpful. He sent out some folks to meet with me that knew all about the different issues and encouraged some different things to be in the bill we got in there. Anyway, this was going to be great for seniors. I was shocked when AARP folks said: We will have to get back with you because we are not sure. I said: How could you not be sure? You care about retired people.

My mother-in-law and father-in-law at the time were struggling to pay for a supplemental policy. This will be fantastic.

I was so naive. I didn't know that AARP was making hundreds of millions of dollars clear profit for a nonprofit off selling the sale of supplemental health insurance.

So, naturally, they couldn't sign on to that bill. It was going to be so good for seniors that AARP would never be making those hundreds of millions and billions of dollars that they would be able to make under ObamaCare. Of course, they signed on to ObamaCare. It was in their monetary best interest, just like it has been in the Clintons' best interests to have Secretary Clinton have a husband out there raking in the money while providing access to those who may have wanted a favor in the administration. Access was the favor.

So we have had people across America so shocked. Money, as we were told, is not the root of all evil, but the love of money is a root of all evil—not necessarily ''the,'' but ''a'' root of evil.

When we see what has happened to people's health care all over money and power and we see what has happened to the greed of entities that were just supposed to help the seniors, just supposed to help those less fortunate, well, they are making a fortune. When we look at what has happened to health care, the hospitals out of business, the doctors retired, people that can't get the help they used to have, it is heartbreaking to those who are actually paying attention.

In the meantime, we have an investigation by the FBI into all this money, tens of millions—hundreds of millions—of dollars flowing into the Clinton Foundation. When people heard FBI Director James Comey stand up and basically spell out a lay-down case against Hillary Clinton for violating the law that ultimately came to the conclusion that there is nothing behind this curtain, so no good prosecutor would consider prosecuting this case, he failed to talk to good prosecutors who were prosecuting cases in which they had much less to go on than what had already been admitted.

I was shocked when we heard that Hillary Clinton was going to be interviewed for 3 hours. Some people expected the FBI to give a statement opinion about the case the next week. I said that that won't happen because traditionally the FBI would get that statement, they would review sentence by sentence to see if there was anything that was false that was provided to them, and if she had a 3-hour interview, it will take time to go sentence by sentence through what she said. There is no way they are coming back that next week.

Little did I know that—you know, you are left with the impression, what happened out there on the tarmac when this clandestine meeting between Attorney General Loretta Lynch and former President Bill Clinton met, it was before the statement was made. And as I pointed out, basically even to the Attorney General, it makes it look like that when President Clinton and Attorney General Lynch got together it was: Look, just tell your wife all we have got to do is check the box. We had a lengthy period of questioning. We won't even put her under oath. We won't even record it, so there is no way we can really effectively prosecute her because we won't have an accurate statement of what she said. Just tell her to come in. We will check the box. We can come out a few days later and announce there is nothing here, look the other way.

It sounded like a wink and nod: Oh, by the way, Hillary says she would like to keep you on as Attorney General.

Great. Let's get her in and get the statement so we can drop the case.

That is basically what sounds like happened because of the way it unfolded. That is not the way the FBI normally works. There are so many incredible criminal investigators in our FBI despite all the good ones that Director Mueller ran off because he wanted new investigators—not any of the people that had been around and had wisdom and experience, but the new ones. They are there for proper reasons. They want to see justice done. And so people were shocked when the announcement came, hey, they laid out the elements of the case. Obviously, it sounded like they were proven. And then it says, so no good prosecutor, in effect, would pursue this.

There was no evidence of intent when somebody has a software program that is actually purchased with the sole purpose of destroying any way to get back to the emails that, now, it appears, were destroyed after they were requested, after they were subpoenaed, and after they were being sought. So, obviously, that is a lay-down case for intent right there.

Then we find out that phones were bashed perhaps with a hammer. Maybe if you were in some area of the country trying to prosecute where people are just going to acquit no matter what happens, okay, maybe, yeah, a prosecutor there might not pursue, but in most of this God-blessed country, if you show somebody that there was actual destruction with a hammer of cellphones to prevent anybody from ever finding out what was on there, you show them that software was actually purchased that would completely bleach and destroy any ability to go back and get those emails, most normal people would have no problem whatsoever finding an intent to deceive there and have no problem finding lies that were made.

But we heard over and over, gee, FBI Director Comey would never do anything but absolutely perfectly aboveboard.

But then this article by Patrick Howley, 10 September, came out. I was shocked. It said: ''A review of FBI Director James Comey's professional history and relationships shows that the Obama cabinet leader—now under fire for his handling of the investigation of Hillary Clinton—is deeply entrenched in the big-money cronyism culture of Washington, D.C. His personal and professional relationships—all undisclosed as he announced the Bureau would not prosecute Clinton—reinforce bipartisan concerns that he may have politicized the criminal probe.

''These concerns focus on millions of dollars that Comey accepted from a Clinton Foundation defense contractor, Comey's former membership on a Clinton Foundation corporate partner's board''—I had no idea—''and his surprising financial relationship with his brother Peter Comey, who works at the law firm that does the Clinton Foundation taxes.''

Who knew? Wow. Direct ties here with FBI Director James Comey's family and the Clinton Foundation. It is just amazing. I don't hold anybody's former employer against them. Fine, you are employed hopefully by somebody, so I wouldn't hold that against them. Certainly, Hank—I don't even want to say his name, but he used to be the Secretary of the Treasury, and—well, yeah, he deserves to be in the CONGRESSIONAL RECORD yet again. Hank Paulson, the former chairman of Goldman Sachs, he certainly did every favor he possibly could to Goldman Sachs, and they are still going on.

But here are some holdings, HSBC Holdings the article mentioned. ''In 2013, Comey became a board member, a director, and a Financial System Vulnerabilities Committee member of the London bank HSBC Holdings. 'Mr. Comey's appointment will be for an initial three-year term which, subject to re-election by shareholders, will expire at the conclusion of the 2016 Annual General Meeting,' according to HSBC company records.

''HSBC Holdings and its various philanthropic branches routinely partner with the Clinton Foundation. For instance, HSBC Holdings has partnered with Deutsche Bank through the Clinton Foundation to 'retrofit 1,500 to 2,500 housing units, primarily in the low- to moderate-income sector' in 'New York City.' ''

Anyway, it goes on to talk about Peter Comey.

''When our source called the Chinatown offices of D.C. law firm DLA Piper and asked for 'Peter Comey,' a receptionist immediately put him through to Comey's direct line. But Peter Comey is not featured on the DLA Piper website.

''Peter Comey serves as 'Senior Director of Real Estate Operations for the Americas' for DLA Piper.

□ 2145

''James Comey was not questioned about his relationship with Peter Comey in his confirmation hearing. DLA Piper is the firm that performed the independent audit of the Clinton Foundation in November during Clinton-World's first big push to put the email scandal behind them. DLA Piper's employees taken as a whole represent a major Hillary Clinton 2016 campaign donation bloc and Clinton Foundation donation base.

''DLA Piper ranks number 5 on Hillary Clinton's all-time career Top Contributors list, just ahead of Goldman Sachs. And here is another thing: Peter Comey has a mortgage on his house that is owned by his brother'' James Comey, the FBI director. Peter Comey's financial records obtained by Breitbart News showed that he ''bought a $950,000 house in Vienna, Virginia, in June 2008. He needed a $712,500 mortgage from First Savings Mortgage Corporation.

''But on January 31, 2011, James Comey and his wife stepped in to become Private Party lenders. They granted a mortgage on the house for $711,000.''

Anyway, it is just rather interesting: Who had any idea that the Comey family had such ties to the Clinton Foundation?

''Peter Comey redesigned the FBI building.''

Well, that is interesting.

''FBI Director James Comey grew up in the New Jersey suburbs with his brother Peter.''

Anyway, interesting. How about that. Peter Comey redesigned the FBI building, according to the article.

''Procon Consulting's client list includes 'FBI Headquarters, Washington, D.C.'

''So what did Procon Consulting do for FBI headquarters? Quite a bit, apparently. According to the firm's records: Procon provided strategic project management for the consolidation of over 11,000 FBI personnel into one, high security, facility.''

Then it goes on. As the article ends, it says:

''This is not going to end well.''

Well, fortunately, for Hillary Clinton, the investigation with the Clinton Foundation ties to the FBI director has ended well for her.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GUTHRIE (at the request of Mr. MCCARTHY) for today and September 13 on account of family obligations.

Mr. POE of Texas (at the request of Mr. MCCARTHY) for today on account of personal reasons.

Mr. ROSS (at the request of Mr. MCCARTHY) for today on account of flight delays.

Ms. JACKSON LEE (at the request of Ms. PELOSI) for today on account of official business.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 2040. An act to deter terrorism, provide justice for victims, and for other purposes.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 47 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, September 13, 2016, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the second and third quarters of 2016, pursuant to Public Law 95–384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MATTHEW B. KELLOGG, EXPENDED BETWEEN JUNE 24 AND JULY 2, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Matthew B. Kellogg	6/26	6/28	Japan		696.00		[3]				696.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MATTHEW B. KELLOGG, EXPENDED BETWEEN JUNE 24 AND JULY 2, 2016—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	6/28	6/30	China		507.00		([3])				507.00
	6/30	7/2	South Korea		499.00		([3])				499.00
Committee total					1,702.00						1,702.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

MATTHEW B. KELLOGG, July 19, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO TUNISIA, KENYA, AND SENEGAL, EXPENDED BETWEEN JUNE 24 AND JULY 1, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Vern Buchanan	6/27	6/30	Kenya		1,080.00		([3])				1,080.00
Hon. David Price	6/27	6/30	Kenya		1,080.00		([3])				1,080.00
Hon. Adrian Smith	6/27	6/30	Kenya		1,080.00		([3])				1,080.00
Hon. Gwen Moore	6/27	6/30	Kenya		1,080.00		([3])				1,080.00
Hon. Dina Titus	6/27	6/30	Kenya		1,080.00		([3])				1,080.00
Hon. Lois Capps	6/27	6/30	Kenya		1,080.00		([3])				1,080.00
Jeff Billman	6/27	6/30	Kenya		1,080.00		([3])				1,080.00
Justin Wein	6/27	6/30	Kenya		1,080.00		([3])				1,080.00
Hon. Vern Buchanan	6/24	6/27	Tunisia		584.97		([3])				584.97
Hon. David Price	6/24	6/27	Tunisia		584.97		([3])				584.97
Hon. Adrian Smith	6/24	6/27	Tunisia		584.97		([3])				584.97
Hon. Gwen Moore	6/24	6/27	Tunisia		584.97		([3])				584.97
Hon. Dina Titus	6/24	6/27	Tunisia		584.97		([3])				584.97
Hon. Lois Capps	6/24	6/27	Tunisia		584.97		([3])				584.97
Jeff Billman	6/24	6/27	Tunisia		584.97		([3])				584.97
Justin Wein	6/24	6/27	Tunisia		584.97		([3])				584.97
Hon. Vern Buchanan	6/30	7/1	Senegal		137.13		([3])				137.13
Hon. David Price	6/30	7/1	Senegal		137.13		([3])				137.13
Hon. Adrian Smith	6/30	7/1	Senegal		137.13		([3])				137.13
Hon. Gwen Moore	6/30	7/1	Senegal		137.13		([3])				137.13
Hon. Dina Titus	6/30	7/1	Senegal		137.13		([3])				137.13
Hon. Lois Capps	6/30	7/1	Senegal		137.13		([3])				137.13
Jeff Billman	6/30	7/1	Senegal		137.13		([3])				137.13
Justin Wein	6/30	7/1	Senegal		137.13		([3])				137.13
Committee total					14,416.80						14,416.80

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. VERN BUCHANAN, July 26, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO THE NETHERLANDS, EXPENDED BETWEEN JUNE 25 AND JUNE 28, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Mario Diaz-Balart	6/26	6/28	The Netherlands		546.00		8,580.00				9,126.00
Hon. Jim Costa	6/26	6/28	The Netherlands		546.00		739.00				1,285.00
Hon. John Carter	6/26	7/2	The Netherlands		546.00		1,581.00				2,127.00
Hon. Bill Huizenga	6/26	6/28	The Netherlands		546.00		2,613.00				3,159.00
Hon. Mike Kelly	6/26	6/28	The Netherlands		546.00		2,101.00				2,647.00
Hon. Ami Bera	6/26	6/28	The Netherlands		546.00		1,645.00				2,191.00
Janice Robinson	6/25	6/28	The Netherlands		819.00		1,472.00				2,291.00
Marie Spear	6/25	6/28	The Netherlands		819.00		1,476.00				2,295.00
Jason Steinbaum	6/26	6/28	The Netherlands		546.00		1,864.00				2,410.00
Angela Ellard	6/26	6/28	The Netherlands		546.00		1,476.00				2,022.00
Committee total					6,006.00		23,547.00				29,553.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MARIO DIAZ-BALART, July 27, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. K. Michael Conaway	4/30	5/4	Jordan		967.84		7,581.40		58.09		8,607.33
	5/4	5/6	Ethiopia		939.51		878.40		66.89		1,884.80
	5/7	5/9	Ghana		531.85		987.20		3.12		1,522.17
	5/9	5/9	USA				4,699.36				4,699.36
Hon. Daniel Benishek	4/30	5/4	Jordan		967.84		7,581.40		219.60		8,768.84
	5/4	5/6	Ethiopia		939.51		878.40		61.05		1,878.96
	5/7	5/9	Ghana		531.85		987.20				1,519.05
	5/9	5/9	USA				4,699.36				4,699.36
Hon. David Rouzer	4/30	5/4	Jordan		967.87		7,581.40		163.40		8,712.64
	5/4	5/6	Ethiopia		939.51		878.40		102.61		1,920.52
	5/7	5/9	Ghana		531.85		987.20				1,519.05
	5/9	5/9	USA				4,699.36				4,699.36
Hon. Sean Patrick Maloney	4/30	5/4	Jordan		924.06		3,947.20		327.93		5,199.19
	5/4	5/4	USA				4,041.86				4,041.86
Scott Graves	4/30	5/4	Jordan		967.84		7,581.40		370.68		8,919.92
	5/4	5/6	Ethiopia		631.36		878.40		40.54		1,550.30
	5/6	5/6	USA				5,508.18				5,508.18
Bart Fischer	4/30	5/4	Jordan		967.84		7,581.40		155.46		8,704.70

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	5/4	5/6	Ethiopia		939.51		878.40		62.71		1,880.62
	5/7	5/9	Ghana		531.85		987.20		28.05		1,547.10
	5/9	5/9	USA				4,123.36				4,123.36
Robert Larew	4/30	5/4	Jordan		967.84		7,581.40		75.15		8,624.39
	5/4	5/6	Ethiopia		939.51		878.40		177.21		1,995.12
	5/7	5/9	Ghana		531.85		987.20		7.01		1,526.06
	5/9	5/9	USA				4,123.36				4,123.36
Mark Williams	4/30	5/4	Jordan		967.84		7,581.40		259.05		8,808.29
	5/4	5/6	Ethiopia		939.51		878.40		105.39		1,923.30
	5/7	5/9	Ghana		531.85		987.20				1,519.05
	5/9	5/9	USA				4,123.36				4,123.36
Committee total					17,158.46		105,107.20		2,283.94		124,549.60

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. K. MICHAEL CONAWAY, Chairman, July 22, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Valerie Baldwin	3/29	3/31	Jordan		710.82				43.72		
	3/31	4/2	Israel		1,036.00				72.97		
	4/2	4/4	Egypt		718.00				131.61		
	4/4	5/5	United Arab Emirates		489.31						
Commercial airfare							12,578.92				
Taxi							85.00				
Kris Mallard	3/29	3/31	Jordan		710.82				43.72		
	3/31	4/2	Israel		1,036.00				72.97		
	4/2	4/4	Egypt		718.00				131.61		
	4/4	5/5	United Arab Emirates		489.31						
Commercial airfare							12,578.92				
Taxi							99.67				
Chris Romig	3/29	3/31	Jordan		710.82				43.72		
	3/31	4/2	Israel		1,036.00				72.97		
	4/2	4/4	Egypt		718.00				131.61		
	4/4	5/5	United Arab Emirates		489.31						
Commercial airfare							12,578.92				
Taxi							93.76				
Laura Cylke	3/29	3/31	Jordan		710.82				43.72		
	3/31	4/2	Israel		1,036.00				72.97		
	4/2	4/4	Egypt		718.00				131.61		
	4/4	5/5	United Arab Emirates		489.31						
Commercial airfare							12,578.92				
Taxi							22.50				
Hon. C. A. Dutch Ruppersberger	3/29	3/30	Israel		654.61						
	3/30	3/31	United Arab Emirates		679.53				147.08		
	3/31	4/1	Bahrain		520.16				53.81		
	4/1	4/2	Iraq		1,220.63						
	4/2	4/3	Spain		203.48				74.44		
CODEL expenses									103.09		
Hon. Steve Israel	3/29	3/30	Israel		654.61						
	3/30	3/31	United Arab Emirates		679.53				147.08		
	3/31	4/1	Bahrain		520.16				53.81		
	4/1	4/2	Iraq		1,220.63						
	4/2	4/3	Spain		224.70				74.44		
CODEL expenses									103.09		
Hon. Tim Ryan	3/29	3/30	Israel		654.61						
	3/30	3/31	United Arab Emirates		752.10				147.08		
	3/31	4/1	Bahrain		520.16				53.81		
	4/1	4/2	Iraq		1,220.63						
	4/2	4/3	Spain		224.70				74.44		
CODEL expenses									103.09		
Hon. David W. Jolly	3/29	3/30	Israel		498.00				1,180.31		
	3/30	3/31	Saudi Arabia		486.00				304.33		
	3/31	4/1	Turkey		290.00				206.07		
	4/1	4/2	Egypt		1,234.00						
	4/2	4/3	Spain		376.45		(3)		443.24		
Hon. Martha Roby	4/30	5/5	Afghanistan								
Commercial airfare							18,369.26				
Hon. David G. Valadao	5/1	5/4	Egypt		1,234.00						
	5/4	5/6	Bahrain		793.63						
	5/6	5/8	Tunisia		520.51						
	5/8	5/9	United Kingdom		809.00						
							(3)				
Hon. Chris Stewart	5/29	6/2	China		1,055.43				487.98		
Commercial airfare							872.50				
Hon. David P. Joyce	6/24	6/27	Panama		952.00						
Commercial airfare							563.21				
Committee total					30,015.78		70,421.58		4,750.39		105,187.75

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. HAROLD ROGERS, Chairman, August 1, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Travel to Austria, Jordan, Israel, Ireland—March 28–April 2, 2016 with CODEL McCaskill											
Hon. Susan Davis	3/29	3/30	Austria		421.68						421.68

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	3/30	3/31	Jordan		262.33						262.33
	3/31	4/1	Israel		397.93						397.93
	4/1	4/2	Ireland								
Hon. Niki Tsongas	3/29	3/30	Austria		421.68						421.68
	3/30	3/31	Jordan		262.33						262.33
	3/31	4/1	Israel		470.93						470.93
	4/1	4/2	Ireland								
Craig Greene	3/29	3/30	Austria		521.61						521.61
	3/30	3/31	Jordan		403.33						403.33
	3/31	4/1	Israel		546.00						546.00
	4/1	4/2	Ireland								
Travel to Israel, United Arab Emirates, Bahrain, Iraq, Spain—March 28–April 3, 2016 with CODEL Donnelly											
Hon. Seth Moulton	3/29	3/30	Israel		571.00						571.00
	3/30	3/31	United Arab Emirates		536.00						536.00
	3/31	4/1	Bahrain		396.81						396.81
	4/1	4/2	Iraq		11.00		1,200.00				1,211.00
	4/2	4/3	Spain		203.48						203.48
Travel to Afghanistan, India, United Arab Emirates—April 30–May 6, 2016											
Hon. Martha McSally	5/1	5/3	Afghanistan		40.00						40.00
	5/3	5/4	India		109.00						109.00
Hon. Susan Davis	5/1	5/3	Afghanistan		40.00						40.00
Hon. Gwen Graham	5/1	5/3	Afghanistan		40.00						40.00
Jaime Cheshire	5/1	5/3	Afghanistan		40.00						40.00
Craig Greene	5/1	5/3	Afghanistan		40.00						40.00
Katy Quinn	5/1	5/3	Afghanistan		40.00						40.00
Delegation expenses			India						83.84		83.84
Delegation expenses			Afghanistan						1,070.21		1,070.21
Travel to Israel, Jordan, Sweden, Germany—May 26–June 3, 2016											
Hon. Mike Rogers	5/27	5/28	Sweden		423.67						423.67
	5/28	5/31	Israel		1,494.00						1,494.00
	5/31	6/2	Jordan		709.30						709.30
	6/2	6/3	Germany		309.33						309.33
Hon. Brad Ashford	5/27	5/28	Sweden		423.67						423.67
	5/28	5/31	Israel		1,494.00						1,494.00
	5/31	6/2	Jordan		709.30						709.30
	6/2	6/3	Germany		309.33						309.33
Hon. Joe Wilson	5/27	5/28	Sweden		423.67						423.67
	5/28	5/31	Israel		1,494.00						1,494.00
	5/31	6/2	Jordan		709.30						709.30
	6/2	6/3	Germany		309.33						309.33
Timothy Morrison	5/27	5/28	Sweden		423.67						423.67
	5/28	5/31	Israel		1,494.00						1,494.00
	5/31	6/2	Jordan		709.30						709.30
	6/2	6/3	Germany		275.42						275.42
Stephen Kitay	5/27	5/28	Sweden		423.67						423.67
	5/28	5/31	Israel		1,494.00						1,494.00
	5/31	6/2	Jordan		709.30						709.30
	6/2	6/3	Germany		275.42						275.42
Leonor Tomero	5/27	5/28	Sweden		423.67						423.67
	5/28	5/31	Israel		1,494.00						1,494.00
	5/31	6/2	Jordan		709.30						709.30
	6/2	6/3	Germany		275.42						275.42
Travel to South Africa—May 28–June 6, 2016 with CODEL Coons											
Hon. Brad Byrne	5/30	6/5	South Africa		1,186.19						1,186.19
Hon. Marc Veasey	5/30	6/5	South Africa		1,186.19						1,186.19
Travel to South Korea, Japan—June 4–June 9, 2016											
David Giachetti	6/5	6/6	South Korea		366.00						366.00
	6/8	6/9	Japan		398.58						398.58
Commercial transportation							43,729.85				43,729.85
Craig Greene	6/5	6/6	South Korea		366.00						366.00
	6/8	6/9	Japan		398.58						398.58
Commercial transportation							43,729.85				43,729.85
Alison Lynn	6/5	6/6	South Korea		366.00						366.00
	6/8	6/9	Japan		398.58						398.58
Commercial transportation							43,729.85				43,729.85
Delegation expenses			South Korea				653.03				653.03
Travel to Senegal, Mali—June 25–June 30, 2016											
Mark Morehouse	6/26	6/28	Senegal		514.68						514.68
	6/28	6/30	Mali		313.80						313.80
Commercial transportation							16,664.66				16,664.66
Katy Quinn	6/26	6/28	Senegal		514.68						514.68
	6/28	6/30	Mali		313.80						313.80
Commercial transportation							16,664.66				16,664.66
Daniel Sennott	6/26	6/28	Senegal		514.68						514.68
	6/28	6/30	Mali		313.80						313.80
Commercial transportation							16,664.66				16,664.66
Commercial total					30,442.74		183,036.56		1,154.05		214,633.35

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MAC THORNBERY, Chairman, August 16, 2016

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. John Kline	3/31	4/2	Philippines		605.84		[3]				605.84
	4/2	4/7	Australia		1,638.00		[3]				1,638
Hon. David ''Phil'' Roe	3/30	3/31	USA				* 677.70				677.70
			Philippines		* 186.98						186.98
			Australia		* 636.00						636.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Robert C. ''Bobby'' Scott	3/31	4/2	Philippines		605.84		(3)				605.84
	4/2	4/7	Australia		1,638.00		(3)				1,638.00
		4/7	Australia				1,168.86				1,168.86
Hon. Ruben Hinojosa	3/31	4/2	Philippines		605.84		(3)				605.84
	4/2	4/7	Australia		1,638.00		(3)				1,638.00
Juliane Sullivan	3/31	4/2	Philippines		605.84		(3)				605.84
	4/2	4/7	Australia		1,689.00		(3)				1,689.00
Janelle Gardner	3/31	4/2	Philippines		605.84		(3)				605.84
	4/2	4/7	Australia		1,662.00		(3)				1,662.00
Brian Newell	3/31	4/2	Philippines		605.84		(3)				605.84
	4/2	4/7	Australia		1,689.00		(3)				1,689.00
Elizabeth Podgorski	3/31	4/2	Philippines		605.84		(3)				605.84
	4/2	4/7	Australia		1,478.00		(3)				1,478.00
Richard Miller	3/31	4/2	Philippines		605.84		(3)				605.84
	4/2	4/7	Australia		1,662.00		(3)				1,662.00
Krisann Pearce	3/31	4/2	Philippines		605.84		(3)				605.84
	4/2	4/7	Australia		1,662.00		(3)				1,662.00
Committee total					20,031.54		1,846.56				22,878.10

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
* Traveler departed trip state-side due to a death in the family. Post was unable to cancel hotel rooms in Manila and Sydney.

HON. JOHN KLINE, Chairman, July 14, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Adam Kinzinger	3/29	3/30	Israel		498.61		(3)				498.61
	3/30	3/31	Saudi Arabia		459.45						459.45
	3/31	4/1	Turkey		315.20						315.20
	4/1	4/2	Egypt		534.32						534.32
	4/2	4/4	Spain		258.85						258.85
Hon. Fred Upton	5/27	5/28	Morocco		383.94		(3)				383.94
	5/29	6/1	South Africa		1,323.63				2,632.71		3,956.34
	6/1	6/2	Botswana		288.84						288.84
	6/2	6/3	Cape Verde		151.24						151.24
Joan Hillebrands	5/27	5/28	Morocco		383.94		(3)				383.94
	5/29	6/1	South Africa		1,323.63						1,323.63
	6/1	6/2	Botswana		288.84						288.84
	6/2	6/3	Cape Verde		151.24						151.24
Hon. Billy Long	5/27	5/28	Sweden		427.00		(3)				427.00
	5/28	5/31	Israel		1,494.00						1,494.00
	5/31	6/2	Jordan		992.00						992.00
	6/2	6/3	Germany		203.00						203.00
Hon. Gus Bilirakis	5/27	5/29	Cyprus		584.96		13,720.49				14,305.45
	5/29	5/30	Israel		498.00						498.00
Hon. Bill Flores	5/30	6/2	Taiwan		744.14		13,127.56				13,871.70
	6/2	6/4	South Korea		690.18						690.18
David Redl	6/27	6/30	Finland		836.81		1,761.46				2,598.27
Charlotte Savercool	6/27	6/30	Finland		836.81		1,761.46				2,598.27
Gerald Leverich	6/27	6/30	Finland		836.81		1,864.26				2,701.07
Committee total					14,505.44		32,235.23		2,632.71		49.373.38

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. FRED UPTON, Chairman, July 29, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. French Hill	4/1	4/3	Russia		804.00						804.00
	4/3	4/4	Poland		271.92		7,173.20				7,445.12
Hon. Juan Vargas	4/1	4/3	Russia		949.00						949.00
	4/3	4/5	Poland		543.84						543.84
	4/5	4/7	Czech Republic		737.66						737.66
	4/7	4/9	Hungary		506.00		44.00				550.00
	4/9	4/12	Austria		870.05		12,655.66				13,525.71
Hon. Michael Fitzpatrick	4/3	4/5	Colombia		572.07						572.07
	4/5	4/5	Panama								
	4/5	4/8	Paraguay		715.32		226.70		11,201.89		12,143.91
	4/8	4/8	Argentina				8,142.62		1,290.79		9,433.41
Hon. Robert Pittenger	4/3	4/5	Colombia		586.92						586.92
	4/5	4/5	Panama								
	4/5	4/8	Paraguay		743.03		226.70				969.73
	4/8	4/8	Argentina						9,518.61		9,518.61
Joseph Pinder	4/3	4/5	Colombia		607.75						607.75
	4/5	4/5	Panama								
	4/5	4/8	Paraguay		815.00		226.70				1,041,70
	4/8	4/8	Argentina				7,801.31				7,801.31
Hon. Keith Ellison	4/3	4/5	Colombia		376.90						376.90
	4/5	4/5	Panama								
	4/5	4/8	Paraguay		722.06		226.70				948.76
	4/8	4/8	Argentina				8,063.81				8,063.81
Lisa Peto	5/12	5/15	France		1,327.75		1,123.56				2,451.31
Hon. Randy Neugebauer	5/27	5/28	Sweden		396.87		(3)				396.87
	5/28	5/31	Israel		1,396.98		(3)				1,396.98

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	5/31	6/2	Jordan		679.30		(3)				679.30
	6/2	6/3	Germany		301.15		(3)				301.15
Hon. Robert Pittenger	6/19	6/21	Austria		686.00		10,251.26		354.24		11,291.50
Hon. Juan Vargas	6/25	6/27	Egypt		534.00						534.00
	6/27	6/30	Jordan		1,064.82						1,064.82
	6/30	7/2	Turkey		645.31		10,736.66				11,381.97
Hon. Robert Pittenger	6/25	6/27	Egypt		534.00						534.00
	6/27	6/30	Jordan		1,063.00		15,300.06				16,363.06
Committee total					18,450.70		91,717.55				123,015.17

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. JEB HENSARLING, Chairman, July 29, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Ileana Ros-Lehtinen	5/27	5/29	Cyprus		476.96		17,501.19		*6,055.62		24,033.77
	5/29	6/2	Israel		1,767.00				*16,236.30		18,003.30
Hon. Randy Weber	5/27	5/29	Cyprus		489.96		12,869.79				13,359.76
	5/29	6/2	Israel		1,769.00						1,769.00
Edward Acevedo	5/27	5/29	Cyprus		513.96		6,721.99				7,235.95
	5/29	6/2	Israel		1,795.00						1,795.00
Nathan Gately	5/27	5/29	Cyprus		544.96		6,721.99				7,266.95
	5/29	6/2	Israel		1,804.00						1,804.00
Hon. Edward Royce	4/2	4/4	Jordan		710.00		13,468.00				14,178.00
	4/4	4/6	Iraq		22.00		(3)				22.00
	4/6	4/8	Tunisia		624.00						624.00
Hon. Lois Frankel	4/2	4/4	Jordan		531.75		12,881.96				13,413.71
	4/4	4/6	Iraq		22.00		(3)				22.00
	4/6	4/8	Tunisia		536.25						536.25
Elizabeth Heng	4/2	4/4	Jordan		670.00		12,848.96				13,518.96
	4/4	4/6	Iraq		22.00		(3)				22.00
	4/6	4/8	Tunisia		597.00						597.00
Cory Fritz	4/2	4/4	Jordan		710.00		13,304.16				14,014.16
	4/4	4/6	Iraq				(3)				
	4/6	4/8	Tunisia		624.00						624.00
Kristen Marquardt	4/2	4/4	Jordan		685.35		12,035.16				12,720.51
	4/4	4/6	Iraq		22.00		(3)				22.00
	4/6	4/8	Tunisia		601.88						601.88
Joan Condon	3/29	3/31	South Sudan		160.00		5,385.78				5,545.78
	3/31	4/4	Ethiopia		735.00		126.00				861.00
Worku Gachou	3/29	3/31	South Sudan		165.00		5,385.78				5,550.78
	3/31	4/4	Ethiopia		735.00		126.00				861.00
Joseph Howell	3/29	3/31	South Sudan		160.00		7,682.38				7,842.38
	3/31	4/4	Ethiopia		735.00		126.00				861.00
Kristen Marquardt	5/2	5/5	Pakistan		159.00		11,493.56				11,652.56
	5/5	5/7	Afghanistan		12.00						12.00
Sajit Gandhi	5/2	5/5	Pakistan		159.00		11,021.00				11,180.00
	5/5	5/7	Afghanistan		12.00						12.00
Scott Cullinane	4/3	4/7	Georgia		1,003.00		2,345.36				3,348.36
	4/7	4/10	Armenia		785.00						785.00
Nilmini Rubin	5/31	6/5	Israel		2,466.00		1,560.99		*1,873.64		5,900.63
Brian Skretny	5/31	6/5	Israel		2,488.00		1,560.99				4,048.99
Mira Resnick	5/31	6/2	Israel		1,020.00		1,836.49				2,856.49
Hon. David Cicilline	5/31	6/5	South Africa		1,184.86		15,020.66				16,205.52
Hon. Ted Deutch	6/28	7/1	Israel		1,902.00		11,662.79				13,564.79
Casey Kustin	6/28	7/1	Israel		1,902.00		11,426.79				13,328.79
Edward Acevedo	5/1	5/4	Honduras		878.00		1,130.56				2,008.56
	5/4	5/6	Guatemala		468.00						468.00
	5/6	5/8	Nicaragua		467.00						467.00
Sadaf Khan	5/1	5/4	Honduras		884.00		1,130.56				2,014.56
	5/4	5/6	Guatemala		475.00						475.00
	5/6	5/8	Nicaragua		469.00						469.00
Mark Walker	5/1	5/4	Honduras		887.00		1,130.56				2,017.56
	5/4	5/6	Guatemala		471.00						471.00
	5/6	5/8	Nicaragua		470.00						470.00
Hon. Matt Salmon	3/26	3/29	Indonesia		362.00		11,517.36				11,879.36
	3/30	4/2	Australia		506.30						506.30
	4/2	4/6	New Zealand		503.93						503.93
Amy Chang	3/26	3/29	Indonesia		362.00		11,543.96				11,905.96
	3/30	4/2	Australia		506.30						506.30
	4/2	4/6	New Zealand		503.93						503.93
Hon. Dana Rohrabacher	4/1	4/3	Russia		949.00		17,206.52		*1,377.55		19,533.07
	4/3	4/5	Poland		543.84				*5,848.00		6,391.84
	4/5	4/7	Czech Republic		737.66				*1,057.27		1,794.93
	4/7	4/9	Hungary		506.00				*677.07		1,183.07
	4/9	4/12	Austria		870.05						870.05
Hon. David Cicilline	4/1	4/3	Russia		949.00		10,170.12				11,119.12
	4/3	4/5	Poland		543.84						543.84
	4/5	4/7	Czech Republic		737.66						737.66
	4/7	4/9	Hungary		506.00						506.00
Hon. Brian Higgins	4/1	4/3	Russia		949.00		8,637.21				9,586.21
	4/3	4/5	Poland		543.84						543.84
	4/5	4/7	Czech Republic		737.66						737.66
	4/7	4/9	Hungary		506.00						506.00
	4/9	4/12	Austria		870.05						870.05
Paul Behrends	4/1	4/3	Russia		949.00		11,879.02				12,828.02
	4/3	4/5	Poland		543.84						543.84
	4/5	4/7	Czech Republic		737.66						737.66
	4/7	4/9	Hungary		506.00						506.00
	4/9	4/12	Austria		870.05						870.05
Philip Bednarczyk	4/1	4/3	Russia		926.00		4,425.92				5,351.92
	4/3	4/5	Poland		544.00						544.00
	4/5	4/7	Czech Republic		832.00						832.00
	4/7	4/9	Hungary		506.00						506.00

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
	4/9	4/12	Austria		996.00						996.00
Thomas Hill	3/28	3/31	Egypt		801.55		3,906.06				4,707.61
	3/31	4/2	Tunisia		420.52						420.52
Russell Solomon	3/28	3/31	Egypt		801.55		3,906.06				4,707.61
	3/31	4/2	Tunisia		420.52						420.52
Edward Acevedo	3/28	3/31	Egypt		724.00		3,906.06				4,630.06
	3/31	4/2	Tunisia		387.00						387.00
Nathan Gately	3/28	3/31	Egypt		780.00		3,906.06				4,686.06
	3/31	4/2	Tunisia		406.00						406.00
Hunter Strupp	4/3	4/9	India		1,739.90		12,456.77		* 142.42		14,339.09
Sajit Gandhi	4/3	4/10	India		1,895.51		11,881.17				13,776.68
Hunter Strupp	5/2	5/8	Vietnam		1,183.87		12,682.96		* 300.24		14,167.07
Audra McGeorge	5/2	5/8	Vietnam		1,213.95		12,682.96				13,896.91
Hon. Edward Royce	5/30	6/2	Taiwan		762.00		3,854.16		* 2,105.94		6,722.10
	6/2	6/4	South Korea		960.00						960.00
Shelley Su	5/30	6/2	Taiwan		762.00		14,831.00				15,593.00
	6/2	6/4	South Korea		960.00						960.00
Cory Fritz	5/30	6/2	Taiwan		762.00		14,729.90				15,491.90
	6/2	6/4	South Korea		960.00						960.00
Hon. Jeff Duncan	6/24	6/28	Panama		1,116.00		685.21				1,801.21
Committee total					73,951.91		373,313.93		* 35,674.05		482,939.89

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
*Indicates Delegation Costs.

HON. EDWARD R. ROYCE, Chairman, July 29, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOMELAND SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
STAFFDEL Anstine											
Paul Anstine	3/29	3/31	Japan		822.74		* 18,426.36				19,249.10
	3/31	4/2	Singapore		809.99						809.99
	4/2	4/3	Indonesia		361.50						1,436.86
	4/4	4/6	Australia		1,436.86						1,436.86
S. Giaier	3/29	3/31	Japan		822.74		* 18,426.36				19,249.10
	3/31	4/2	Singapore		809.99						809.99
	4/2	4/3	Indonesia		361.50						361.50
	4/4	4/6	Australia		1,436.86						1,436.86
A. Sifuentes Carnes	3/29	3/31	Japan		822.74		* 18,426.36				19,249.10
	3/31	4/2	Singapore		809.99						809.99
	4/2	4/3	Indonesia		361.50						361.50
	4/4	4/6	Australia		1,436.86						1,436.86
Other Expenses: Meeting room	4/3	4/3	Indonesia						556.39		556.39
CODEL Ratcliffe											
Hon. John Ratcliffe	5/2	5/6	Israel		2,184.00		11,905.39				14,089.39
Hon. James R. Langevin	5/2	5/6	Israel		2,184.00		8,774.29				10,958.29
B. Dewitt	5/2	5/6	Israel		2,184.00		11,773.39				13,957.39
E. Peterson	5/2	5/6	Israel		2,184.00		11,773.39				13,957.39
C. Schepis	5/2	5/6	Israel		2,184.00		11,773.39				13,957.39
Other, M&IE for Embassy Staff, etc.	5/2	5/6	Israel						13,376.37		13,376.37
CODEL McCaul											
Hon. Michael T. McCaul	5/1	5/4	Egypt		1,759.00		(3)				1,759.00
	5/4	5/6	Bahrain		793.63		(3)				793.63
	5/6	5/8	Tunisia		520.52		(3)				520.52
	5/8	5/9	England		833.00		(3)				833.00
B. Shields	5/1	5/4	Egypt		709.00		(3)				709.00
	5/4	5/6	Bahrain		793.63		(3)				793.63
	5/6	5/8	Tunisia		520.52		(3)				520.52
	5/8	5/9	England		809.00		(3)				809.00
L. Fullerton	5/1	5/4	Egypt		709.00		(3)				709.00
	5/4	5/6	Bahrain		793.63		(3)				793.63
	5/6	5/8	Tunisia		520.52		(3)				520.52
	5/8	5/9	England		809.00		(3)				809.00
E. Heighberger	5/1	5/4	Egypt		709.00		(3)				709.00
	5/4	5/6	Bahrain		793.63		(3)				793.63
	5/6	5/8	Tunisia		520.51		(3)				520.51
	5/8	5/9	England		809.00		(3)				809.00
M. Taylor	5/1	5/4	Egypt		709.00		(3)				709.00
	5/4	5/6	Bahrain		793.63		(3)				793.63
	5/6	5/8	Tunisia		520.52		(3)				520.52
	5/8	5/9	England		809.00		(3)				809.00
S. Phalen	5/1	5/4	Egypt		709.00		(3)				709.00
	5/4	5/6	Bahrain		793.63		(3)				793.63
	5/6	5/8	Tunisia		520.52		(3)				520.52
	5/8	5/9	England		809.00		(3)				809.00
H. Goins	5/1	5/4	Egypt		709.00		(3)				709.00
	5/4	5/6	Bahrain		793.63		(3)				793.63
	5/6	5/8	Tunisia		520.51		(3)				520.51
	5/8	5/9	England		809.00		(3)				809.00
Hon. William R. Keating	5/1	5/4	Egypt		1,759.00		(3)				1,759.00
	5/4	5/6	Bahrain		793.63		(3)				793.63
	5/6	5/8	Tunisia		520.52		(3)				520.52
	5/8	5/9	England		833.00		(3)				833.00
Hon. Tom Rice	5/1	5/4	Egypt		1,234.00		(3)				1,234.00
	5/4	5/6	Bahrain		793.63		(3)				793.63
	5/6	5/8	Tunisia		520.52		(3)				520.52
	5/8	5/9	England		809.00		(3)				809.00
OT, misc. supplies, control room, etc.	5/1	5/4	Egypt						20,550.90		20,550.90
Staff OT, control room, etc.	5/4	5/6	Bahrain						922.03		922.03
LES OT, mileage, wreath, etc.	5/6	5/8	Tunisia						2,855.85		2,855.85
Transportation, OT, control room, etc.	5/8	5/9	England						7,095.88		7,095.88
Committee total					49,375.60		111,278.93		45,357.42		206,011.95

[1] Per diem constitutes lodging and meals.

[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
* Airfare inclusive of multiple legs of trip.

HON. MICHAEL T. McCaul, Chairman, July 28, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOUSE ADMINISTRATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CANDICE S. MILLER, Chairman, July 22, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Steve Cohen	5/31	6/5	South Africa		471.00		15,235.66		715.19		16,421.85
Hon. Suzan DelBene	5/31	6/5	South Africa		471.00		7,602.10		715.19		8,788.29
Committee total					942.00		22,837.76		1,430.38		25,210.14

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. BOB GOODLATTE, Chairman, July 27, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Stephen Lynch	3/29	3/30	Israel		571.00						571.00
	3/30	3/31	UAE		538.00						538.00
	3/31	4/1	Bahrain		377.00						377.00
	4/1	4/2	Iraq		11.00						11.00
	4/2	4/3	Spain		245.00						245.00
Hon. Cynthia Lummis	3/26	3/30	Indonesia		1,086.00		14,317.00				15,403.00
	3/30	4/2	Australia		1,089.00						1,089.00
	4/2	4/6	New Zealand		1,135.00						1,135.00
Dimple Shah	5/29	5/31	Greece		404.00		16,028.00				16,432.00
	5/31	6/2	France		931.00						931.00
	6/2	6/3	Belgium		309.00						309.00
Valerie Shen	5/29	5/31	Greece		404.00		16,028.00				16,432.00
	5/31	6/2	France		931.00						931.00
	6/2	6/3	Belgium		309.00						309.00
Hon. Carolyn Maloney	5/27	5/29	Cyprus		395.00		10,549.00				10,944.00
Hon. Cynthia Lummis	5/28	6/2	China		1,381.00						1,381.00
Hon. Jason Chaffetz	5/28	6/2	China		1,381.00						1,381.00
	6/12	6/13	U.K.		362.00		1,279.00				1,641.00
Cordell Hull	6/12	6/13	U.K.		474.00		734.00				1,208.00
Committee total					12,333.00		58,935.00				71,268.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JASON CHAFFETZ, Chairman, July 29, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. STEVE CHABOT, Chairman, July 26, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JEFF MILLER, Chairman, July 28, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Erik Paulsen	3/31	4/1	Philippine		605.84		(3)				605.84
	4/2	4/6	Australia		1,631.00		(3)				1,631.00
Hon. Diane Black	3/24	3/27	Japan		1,336.00		(3)				1,336.00
	3/27	3/29	South Korea		927.50		(3)				927.50
	3/30	4/2	Australia		503.00		(3)				503.00
Hon. Tom Rice	3/29	3/30	Israel		498.00		(3)				498.00
	3/30	3/31	Saudi Arabia		486.00		(3)				486.00
	3/31	4/1	Turkey		290.00		(3)				290.00
	4/1	4/3	Egypt		1,234.00		(3)				1,234.00
	4/3	4/4	Spain		376.45		(3)				376.45
Hon. John Lewis	5/31	6/4	South Africa		1,192.46		15,019.56				16,212.02
Committee total					9,080.25		15,019.56				24,099.81

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. KEVIN BRADY, Chairman, July 27, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Devin Nunes	4/3	4/5	Asia		1,036.00				1,854.68		2,890.68
	4/5	4/6	Asia		710.82		101.99		180.46		993.27
	4/6	4/6	Asia						71.53		71.53
	4/7	4/8	Africa		267.00				269.20		536.20
	4/8	4/10	Europe		802.00		258.13		225.99		1,286.12
Damon Nelson	4/3	4/5	Asia		1,036.00				1,854.68		2,890.68
	4/5	4/6	Asia		710.82		101.99		180.46		993.27
	4/6	4/6	Asia						71.53		71.53
	4/7	4/8	Africa		267.00				269.20		536.20
	4/8	4/10	Europe		802.00		258.13		225.99		1,286.12
Hon. Jeff Miller	4/4	4/9	Europe		1,906.68				143.85		2,050.53
Commercial airfare							8,214.36				8,214.36
George Pappas	4/4	4/9	Europe		2,383.34				143.85		2,527.19
Commercial airfare							2,118.29				2,118.29
Hon. Adam Schiff	5/1	5/6	Asia		1,864.00				2,524.59		4,388.59
Commercial airfare							11,993.19				11,993.19
Hon. Michael Quigley	5/1	5/6	Asia		1,864.00				2,524.59		4,388.59
Commercial airfare							12,750.39				12,750.39
Michael Bahar	5/1	5/6	Asia		2,244.00				2,524.59		4,768.59
Commercial airfare							10,320.39				10,320.39
Thomas Eager	5/1	5/6	Asia		2,244.00				2,524.59		4,768.59
Commercial airfare							12,463.19				12,463.19
Hon. Jackie Speier	5/2	5/3	Asia		715.00				19.68		715.00
	5/4	5/6	Asia		496.00				19.68		515.68
Commercial airfare							13,530.86				13,530.86
Tim Bergreen	5/2	5/3	Asia		715.00						715.00
	5/4	5/6	Asia		496.00				19.68		515.68
Commercial airfare							14,582.46				14,582.46
Andrew House	5/2	5/3	Asia		715.00						715.00
	5/4	5/6	Asia		496.00				19.68		515.68
Commercial airfare							13,844.06				13,844.06
Hon. Mike Pompeo	5/2	5/4	Africa		709.00				653.58		1,362.58
	5/4	5/6	Asia		793.63				76.84		870.47
	5/6	5/8	Africa		520.51				237.99		758.50
	5/8	5/9	Europe		833.00		193.62		506.85		1,533.47
Hon. Devin Nunes	5/3	5/5	Europe		1,235.00		808.50				2,043.50
	5/5	5/8	Europe		620.96				1,187.74		1,808.70
Commercial air fare							9,158.16				9,158.16
George Pappas	5/3	5/5	Europe		1,235.00		808.50				2,043.50
	5/5	5/8	Europe		620.97				1,187.74		1,808.71
Commercial air fare							1,790.66				1,790.66
Andrew House	5/29	5/31	Africa		970.00				177.27		1,147.27
	5/31	6/1	Africa		783.23						783.23
	6/1	6/2	Africa		240.00						240.00
	6/2	6/5	Africa		818.17						818.17
	6/5	6/8	Africa		614.34				6.92		621.26
Commercial airfare							9,072.06				9,072.06
Tim Bergreen	5/29	5/31	Africa		970.00				177.27		1,147.27
	5/31	6/01	Africa		783.23						783.23
	6/1	6/2	Africa		240.00						240.00
	6/2	6/5	Africa		341.72						341.72
Commercial airfare							15,757.68				17,757.68
Nicholas A. Ciarlante	5/29	5/31	Africa		970.00				177.27		1,147.27
	5/31	6/1	Africa		783.23						783.23
	6/1	6/2	Africa		240.00						240.00
	6/2	6/5	Africa		341.72						341.72
Commercial airfare							15,234.68				15,234.68
Hon. Mike Turner	5/30	5/31	Europe		227.00				248.66		475.66
	5/31	6/2	Europe		516.00				171.00		687.00
	6/2	6/3	Europe		272.00		95.33		298.66		665.99
Commercial airfare							5,107.06				5,107.06
Damon Nelson	5/29	5/30	Europe		191.00		68.90		361.90		621.80
	5/30	5/31	Europe		227.00				248.66		475.66
	5/31	6/2	Europe		516.00				171.00		687.00
	6/2	6/3	Europe		272.00		95.33		298.66		665.99
Commercial airfare							12,401.96				12,401.96
Lisa Major	5/29	5/30	Europe		191.00		68.90		361.90		621.80
	5/30	5/31	Europe		227.00				248.66		475.66
	5/31	6/2	Europe		516.00				171.00		687.00
	6/2	6/3	Europe		272.00		95.33		298.66		665.99
Commercial airfare							12,401.96				12,401.96
Bill Flanigan	5/29	6/4	Europe		1,440.71				499.38		1,940.09
Commercial airfare							11,173.36				11,173.36
Bob Minehart	5/29	6/4	Europe		1,214.72				499.38		1,714.10
Commercial airfare							11,173.36				11,173.36
Amanda Rogers-Thorpe	5/31	6/2	Europe		745.29				187.00		932.29

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, PERMANENT SELECT COMMITTEE ON INTELLIGENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Commercial airfare							9,059.76				9,059.76
Hon. Eric Swalwell	5/31	6/1	Asia		450.66				7.50		458.16
	6/1	6/3	Asia		140.00				88.56		228.56
Commercial airfare							8,197.46				8,197.46
Wells Bennett	5/31	6/1	Asia		450.66				7.50		458.16
	6/1	6/3	Asia		140.00				88.56		228.56
Commercial airfare							13,187.96				13,187.96
Hon. Terri Sewell	6/26	6/30	Austrailia		996.00		310.00				1,306.00
	6/30	7/3	Oceania		864.00						864.00
Commercial airfare							20,413.56				20,413.56
Linda Cohen	6/26	6/30	Austrailia		996.00		310.00				1,306.00
	6/30	7/3	Oceania		864.00						864.00
Commercial airfare							20,413.56				20,413.56
Hon. Frank LoBiondo	6/26	6/28	Asia		930.00						930.00
	6/28	6/30	Asia		579.99		166.02		48.51		794.52
Commercial airfare							23,937.56				23,937.56
Damon Nelson	6/26	6/28	Asia		930.00						930.00
	6/28	6/30	Asia		579.99		401.60		48.51		1,030.10
	6/30	7/2	Asia		514.02						514.02
Commercial airfare							21,637.56				21,637.56
George Pappas	6/26	6/28	Asia		930.00						930.00
	6/28	6/30	Asia		579.99		401.60		48.51		1,030.10
	6/30	7/2	Asia		514.02						514.02
Commercial airfare							21,602.56				21,602.56
Shannon Stuart	6/26	6/28	Asia		827.00				53.00		880.00
	6/28	6/29	Asia		320.00				9.69		329.69
	6/29	7/1	Asia		377.29				17.36		394.65
Commercial airfare							18,225.56				18,225.56
Bill Flanigan	6/26	6/28	Asia		827.00				53.00		880.00
	6/28	6/29	Asia		320.00				9.69		329.69
	6/29	7/01	Asia		377.29				17.36		394.65
Commercial airfare							15,107.16				15,107.16
Lisa Major	6/26	6/28	Asia		827.00				53.00		880.00
	6/28	6/29	Asia		320.00				9.69		329.69
	6/29	7/1	Asia		377.29				17.36		394.65
Commercial airfare							15,107.16				15,107.16
Carly Blake	6/26	6/28	Asia		827.00				53.00		880.00
	6/28	6/29	Asia		320.00				9.69		329.69
	6/29	7/01	Asia		377.29				17.36		394.65
Commercial airfare							15,107.16				15,107.16
Michael Ellis	6/27	6/29	Africa		534.00				15.14		549.14
	6/29	7/1	Africa		417.74				17.06		434.80
	7/1	7/3	Europe		561.88						561.88
Commercial airfare							15,982.06				15,982.06
Scott Glabe	6/27	6/29	Africa		534.00				15.14		549.14
	6/29	7/1	Africa		417.74				17.06		434.80
	7/1	7/3	Europe		561.88						561.88
Commercial airfare							11,940.06				11,940.06
Committee total					62,845.82		437.551.14		24,825.06		525,222.02

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
* In accordance with title 22, United States Code, Section 1754(b)(2), information as would identify the foreign countries in which Committee Members and staff have traveled is omitted.

HON. DEVIN NUNES, Chairman, August 1, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, SELECT COMMITTEE ON THE EVENTS SURROUNDING THE 2012 TERRORIST ATTACK IN BENGHAZI, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. TREY GOWDY, Chairman, July 22, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JOINT COMMITTEE ON TAXATION, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. KEVIN BRADY, Chairman, July 18, 2016.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Shelly Han	4/2	4/10	Georgia	Lari	1,835.00		2,695.86				4,530.86
			Armenia	Dram							
Janice Helwig	4/8	6/30	Austria	Euro	29,013.00		11,775.56				40,788.56
	6/4	6/8	Thailand	Baht	492.00		5,610.50				6,102.50

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMISSION ON SECURITY AND COOPERATION IN EUROPE, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2016—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Allison Hollabaugh	4/10	4/13	Austria	Euro	798.33		3,394.86				4,193.19
	6/4	6/10	Japan	Yen	1,752.00		3,359.86				5,111.86
			Thailand	Baht							
Mischa Thompson	4/13	4/16	Austria	Euro	398.00		1,570.46				1,968.46
	5/29	6/3	Italy	Euro	1,467.30		1,869.96				3,337.26
Erika Schlager	5/15	5/21	Bulgaria	Lev	1,355.00		12,324.56				13,679.56
Committee total					37,110.63		42,601.52				79,712.25

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHRISTOPHER H. SMITH, Chairman, July 27, 2016.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

6772. A letter from the Assistant General Counsel, Office of General Counsel, Department of Education, transmitting the Department's final regulations — Workforce Innovation and Opportunity Act, Miscellaneous Program Changes [Docket No.: 2015-ED-OSERS-0002] (RIN: 1820-AB71) September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6773. A letter from the Assistant General Counsel, Office of General Counsel, Department of Education, transmitting the Department's final regulations — State Vocational Rehabilitation Services program; State Supported Employment Services program; Limitations on Use of Subminimum Wage [ED-2015-OSERS-0001] (RIN: 1820-AB70) received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6774. A letter from the Deputy Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting the Department's final priority and requirement — Equity Assistance Centers [CDFA Number: 84.004D] [Docket ID: ED-2016-OESE-0015] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6775. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Connecticut; NOx Emission Trading Orders as Single Source SIP Revisions [EPA-R01-OAR-2015-0238; FRL-9951-94-Region 1] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6776. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Designations for the 2012 Primary Annual Fine Particle (PM2.5) National Ambient Air Quality Standard (NAAQS) for Areas in Georgia and Florida [EPA-HQ-OAR-2012-0918; FRL-9951-91-OAR] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6777. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Redesignation of the Indiana Portion of the Louisville Area to Attainment of the 1997 Annual Standard for Fine Particulate Matter [EPA-R05-OAR-2011-0698; FRL-9951-95-Region 5] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6778. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Kansas; Infrastructure SIP Requirements for the 2012 Annual Fine Particulate Matter (PM2.5) National Ambient Air Quality Standards (NAAQS) [EPA-R07-OAR-2016-0313; FRL-9951-87-Region 7] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6779. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; Puerto Rico; Infrastructure Requirements for the 1997 and 2008 Ozone, 1997 and 2006 Fine Particulate Matter and 2008 Lead NAAQS [EPA-R02-OAR-2016-0060; FRL-9945-84-Region 2] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6780. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Chlorantraniliprole; Pesticide Tolerances [EPA-HQ-OPP-2013-0235; FRL-9950-04] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6781. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers [EPA-HQ-OAR-2006-0790; FRL-9951-64-OAR] (RIN: 2060-AS10) received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6782. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List [EPA-HQ-OLEM-2016-0151, 0152, 0154, 0155, 0156, 0157 and 0158; EPA-HQ-SFUND-2015-0139, 0575 and 0576; FRL-9952-06-OLEM] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6783. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Outer Continental Shelf Air Regulations Consistency Update for Maryland [EPA-R03-OAR-2014-0568; FRL-9950-98-Region 3] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6784. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — State of Iowa; Approval and Promulgation of the Title V Operating Permits Program, the State Implementation Plan, and 112(1) Plan [EPA-R07-OAR-2016-0453; FRL-9951-86-Region 7] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6785. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's Major final rule — Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles — Phase 2 [EPA-HQ-OAR-2014-0827; NHTSA-2014-0132; FRL-9950-25-OAR] (RIN: 2060-AS16; RIN: 2127-AL52) received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6786. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification regarding the proposed transfer from the Government of Jordan to a U.S. private entity, Transmittal No.: RSAT-16-5068, pursuant to 22 U.S.C. 2753(d); Public Law 90-629, Sec. 3(d) (as amended by Public Law 107-228, Sec. 1405(a)(1)(A)) (116 Stat. 1456); to the Committee on Foreign Affairs.

6787. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification of a possible or actual unauthorized transfer of defense articles provided by the United States, pursuant to Section 3 of the Arms Export Control Act (AECA); to the Committee on Foreign Affairs.

6788. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a notification of a possible or actual unauthorized transfer of defense articles provided by the United States, pursuant to Section 3 of the Arms Export Control Act (AECA); to the Committee on Foreign Affairs.

6789. A letter from the Director, Office of Government Ethics, transmitting the Office's interim final rule — Interpretation, Exemptions and Waiver Guidance Concerning 18 U.S.C. 208 (Acts Affecting A Personal Financial Interest); Amendment to Definition of ''Employee'' (RIN: 3209-AA09) received September 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6790. A letter from the Secretary, Department of the Interior, transmitting a proposed draft resolution approving the location of the National Desert Storm War Memorial; to the Committee on Natural Resources.

6791. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Eliminating Business Purpose and Device as No-Rules under Section 355 (Rev. Proc. 2016-45) received September 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6792. A letter from the Clerk, United States Court of Appeals, transmitting an opinion of the United States Court of Appeals for the Second Circuit, United States of America v. Nicolas Epskamp, docket no. 15-2028; to the Committee on the Judiciary.

6793. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31087; Amdt. No. 3705] received September 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6794. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ocean Dumping: Modification of an Ocean Dredged Material Disposal Site Offshore of Charleston, South Carolina [EPA-R04-OW-2016-0356; FRL-9951-96-Region 4] received September 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6795. A letter from the Labor Member and Management Member, Railroad Retirement Board, transmitting the Board's Annual report the fiscal year ended September 30, 2015, pursuant to 45 U.S.C. 231f(b)(6); August 29, 1935, ch. 812, Sec. 7(b)(6) (as amended by Public Law 97-35, Sec. 1122); (95 Stat. 638); ; jointly to the Committees on Transportation and Infrastructure and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UPTON: Committee on Energy and Commerce. H.R. 921. A bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; with an amendment (Rept. 114–736, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 4979. A bill to foster civilian research and development of advanced nuclear energy technologies and enhance the licensing and commercial deployment of such technologies; with an amendment (Rept. 114–737, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 4782. A bill to increase, effective as of December 1, 2016, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; with an amendment (Rept. 114–738). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLINE: Committee on Education and the Workforce. House Joint Resolution 87. 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'' (Rept. 114–739). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2817. A bill to amend title 54, United States Code, to extend the authorization of appropriations for the Historic Preservation Fund; with an amendment (Rept. 114–740). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURGESS: Committee on Rules. House Resolution 858. Resolution providing for consideration of the bill (H.R. 3590) to amend the Internal Revenue Code of 1986 to repeal the increase in the income threshold used in determining the deduction for medical care (Rept. 114–741). Referred to the House Calendar.

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 859. Resolution providing for consideration of the bill (H.R. 5620) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes (Rept. 114–742). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on the Judiciary discharged from further consideration. H.R. 921 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Science, Space, and Technology discharged from further consideration. H.R. 4979 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GOODLATTE (for himself and Mr. CONYERS):

H.R. 5992. A bill to amend section 203(b)(5) of the Immigration and Nationality Act to implement new reforms, and to reauthorize the EB-5 Regional Center Program, in order to promote and reform foreign capital investment and job creation in communities in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. ASHFORD:

H.R. 5993. A bill to prohibit the use of funds provided for the official travel expenses of Members of Congress and other officers and employees of the legislative branch for airline accommodations which are not coach-class accommodations, to prohibit the use of official funds for long-term vehicle leases for Members of Congress, to prohibit the use of the Members' Representational Allowance for expenses of official mail of any material other than a document transmitted under the official letterhead of the Member involved, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK:

H.R. 5994. A bill to amend the Internal Revenue Code of 1986 to extend biodiesel and renewable diesel incentives; to the Committee on Ways and Means.

By Mr. MEADOWS (for himself and Mr. CONNOLLY):

H.R. 5995. A bill to strike the sunset on certain provisions relating to the authorized protest of a task or delivery order under section 4106 of title 41, United States Code; to the Committee on Oversight and Government Reform.

By Mr. ROONEY of Florida (for himself, Mr. SMITH of New Jersey, Mr. CAPUANO, and Mr. ENGEL):

H.R. 5996. A bill to provide United States support for the full implementation of the Agreement on the Resolution of the Conflict in the Republic of South Sudan, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSH:

H.R. 5997. A bill to establish the Bronzeville-Black Metropolis National Heritage Area in the State of Illinois, and for other purposes; to the Committee on Natural Resources.

By Mr. SERRANO:

H.R. 5998. A bill to amend title 10, United States Code, to provide for retroactive calculation since the start of combat operations in Afghanistan of days of certain active duty or active service performed as a member of the Ready Reserve to reduce the eligibility age for receipt of retired pay for non-regular service; to the Committee on Armed Services.

By Mr. ZINKE (for himself, Mr. MOULTON, Mr. COFFMAN, Mr. FRANKS of Arizona, Mr. RUPPERSBERGER, Ms. GABBARD, Mr. WALZ, Mr. LAMALFA, Mr. DENHAM, Mr. DONOVAN, Mr. RUSSELL, Mr. ROUZER, Mr. ROTHFUS, Ms. STEFANIK, Mr. HUIZENGA of Michigan, Mr. BYRNE, Mrs. WAGNER, and Mr. HARDY):

H.R. 5999. A bill to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for other purposes; to the Committee on Natural Resources.

By Mr. YARMUTH (for himself and Mr. SAM JOHNSON of Texas):

H. Res. 857. A resolution expressing support for designation of the week of September 12 through 16, 2016 as ''National Family Service Learning Week''; to the Committee on Education and the Workforce.

By Mr. JONES:

H. Res. 860. A resolution expressing the sense of the House of Representatives regarding the firefight that occurred on March 4, 2007, between members of the United States Marine Corps and enemy forces in Bati Kot District, Nangarhar Province, Afghanistan; to the Committee on Armed Services.

By Mr. SMITH of New Jersey (for himself, Mr. ELLISON, Mr. AL GREEN of Texas, Mr. COFFMAN, and Mr. ENGEL):

H. Res. 861. A resolution supporting respect for human rights and encouraging inclusive governance in Ethiopia; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GOODLATTE:

H.R. 5992.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 4 of the Constitution.

By Mr. ASHFORD:

H.R. 5993.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mrs. BLACK:

H.R. 5994.

Congress has the power to enact this legislation pursuant to the following.

Article I, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States;''

By Mr. MEADOWS:

H.R. 5995.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. ROONEY of Florida:

H.R. 5996.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: ''To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;''

By Mr. RUSH:

H.R. 5997.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: ''The Congress shall have power to . . . provide the . . . general welfare of the United States . . .''

Article I, Section 8, Clause 18: ''To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.''

By Mr. SERRANO:

H.R. 5998.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. ZINKE:

H.R. 5999.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 213: Ms. TSONGAS, Mr. JOHNSON of Ohio, and Ms. LEE.
H.R. 265: Mr. VEASEY.
H.R. 565: Mr. LANGEVIN.
H.R. 605: Mrs. BEATTY.
H.R. 664: Ms. LOFGREN.
H.R. 672: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 793: Mr. DENT.
H.R. 921: Mrs. COMSTOCK and Mr. GOSAR.
H.R. 969: Ms. ADAMS.
H.R. 1025: Ms. FUDGE.
H.R. 1061: Mr. VEASEY.
H.R. 1062: Mr. LAHOOD.
H.R. 1076: Ms. JUDY CHU of California.
H.R. 1220: Mr. JODY B. HICE of Georgia.
H.R. 1292: Mr. SEAN PATRICK MALONEY of New York.
H.R. 1453: Mr. BLUMENAUER.
H.R. 1516: Ms. JUDY CHU Of California.
H.R. 1559: Mr. MARINO.
H.R. 1594: Mr. CARTER of Georgia.
H.R. 1674: Mr. HUFFMAN.
H.R. 1866: Mr. DAVID SCOTT of Georgia.
H.R. 1877: Mr. YODER.
H.R. 1942: Ms. ADAMS and Mr. BECERRA.
H.R. 2058: Mr. WENSTRUP and Mr. BISHOP of Michigan.
H.R. 2096: Mrs. WAGNER, Mr. WILLIAMS, and Mr. DAVID SCOTT of Georgia.
H.R. 2102: Mr. HINES.
H.R. 2169: Mr. CAPUANO.
H.R. 2368: Mr. HOYER, Ms. JACKSON LEE, Ms. LORETTA SANCHEZ of California, Mr. CONYERS, and Mr. LEVIN.
H.R. 2513: Mr. BABIN.
H.R. 2519: Mr. YODER.
H.R. 2530: Mr. GALLEGO.
H.R. 2759: Mr. KIND.
H.R. 2799: Ms. JUDY CHU of California and Ms. VELÁZQUEZ.
H.R. 2902: Mr. HOYER.
H.R. 2903: Mr. ISSA.
H.R. 2944: Ms. ROS-LEHTINEN and Mr. BLUMENAUER.
H.R. 2962: Mr. BECERRA.
H.R. 2972: Ms. TSONGAS.
H.R. 3051: Ms. LEE.
H.R. 3084: Mrs. BEATTY, Ms. CASTOR of Florida, and Mrs. LOWEY.
H.R. 3187: Mr. SANFORD.
H.R. 3235: Ms. FRANKEL of Florida.
H.R. 3276: Mr. BLUMENAUER.
H.R. 3277: Mr. BLUMENAUER.
H.R. 3438: Mr. DUFFY, Mr. BROOKS of Alabama, Mr. LAMALFA, Mr. HULTGREN, Mr. KELLY of Pennsylvania, Mr. HUELSKAMP, Mr. POSEY, Mr. JODY B. HICE of Georgia, and Mr. Abraham.
H.R. 3512: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 3588: Ms. KAPTUR.
H.R. 3693: Mr. DONOVAN, Mr. PERRY, and Mr. BURGESS.
H.R. 3742: Mr. BLUM, Mr. PAYNE, Mr. JODY B. HICE of Georgia, and Mr. RIBBLE.
H.R. 3765: Mr. BARR.
H.R. 3849: Mr. LOWENTHAL and Mr. GRIJALVA.
H.R. 3957: Mr. VELA.
H.R. 4137: Mr. VEASEY.
H.R. 4151: Mr. KATKO and Mr. ZELDIN.
H.R. 4212: Mr. PAULSEN and Ms. LOFGREN.
H.R. 4333: Mr. ISRAEL and Mr. TOM PRICE of Georgia.
H.R. 4365: Mr. DENT.
H.R. 4514: Mr. CLAY, Mr. MEEHAN, Mr. CULBERSON, and Mr. ROONEY of Florida.
H.R. 4626: Mrs. KIRKPATRICK, Mr. JENKINS of West Virginia, Mr. BLUM, and Mr. MULLIN.
H.R. 4657: Mr. RYAN of Ohio.
H.R. 4681: Ms. BONAMICI, Mr. BLUMENAUER, and Ms. KELLY of Illinois.
H.R. 4695: Mr. KATKO.
H.R. 4715: Mr. HANNA and Mr. EMMER of Minnesota.
H.R. 4773: Mr. CONAWAY.
H.R. 4784: Mr. HIGGINS and Mr. POLIQUIN.
H.R. 4829: Mr. SMITH of Texas.
H.R. 4893: Mr. CONNOLLY and Mr. BEYER.
H.R. 4919: Mr. RICHMOND.
H.R. 4927: Mr. ELLISON.
H.R. 4928: Mr. PEARCE.
H.R. 5002: Mr. MURPHY of Pennsylvania.
H.R. 5015: Mr. JOYCE.
H.R. 5067: Ms. ADAMS, Ms. KELLY of Illinois, Ms. DELBENE, Mr. YARMUTH, Ms. JUDY CHU of California, and Mr. KATKO.
H.R. 5073: Mr. BLUM.
H.R. 5083: Mr. JONES, Mr. TAKANO, Mr. HECK of Nevada, Mr. AMODEI, Mr. ENGEL, Mr. SARBANES, Mr. PERLMUTTER, and Mr. ELLISON.
H.R. 5187: Mr. MOOLENAAR and Mr. LAHOOD.
H.R. 5219: Mr. KATKO.
H.R. 5271: Mr. LATTA.
H.R. 5321: Mr. AMASH.
H.R. 5350: Mr. GRIJALVA.
H.R. 5351: Mr. SANFORD, Mr. YOUNG of Indiana, Mr. SESSIONS, Mr. CONAWAY, Mrs. MCMORRIS RODGERS, Mr. STUTZMAN, Mr. POMPEO, and Mr. CARTER of Texas.
H.R. 5455: Mr. LOUDERMILK.
H.R. 5488: Ms. JUDY CHU of California.
H.R. 5499: Mr. FRANKS of Arizona, Mr. HARRIS, Mr. DUNCAN of Tennessee, and Mrs. NOEM.
H.R. 5506: Mr. CRAMER, Ms. BROWNLEY of California, and Mr. THOMPSON of Pennsylvania.
H.R. 5513: Mr. LAHOOD.
H.R. 5589: Mr. COLLINS of New York.
H.R. 5601: Mr. KILDEE.
H.R. 5619: Mr. MULLIN.
H.R. 5620: Mrs. WAGNER, Mr. KNIGHT, Ms. HERRERA BEUTLER, and Mr. BABIN.
H.R. 5621: Mr. LANGEVIN, Ms. KAPTUR, Mr. PALLONE, Mr. MACARTHUR, Mr. NORCROSS, Mrs. WATSON COLEMAN, Ms. MOORE, Mr. GRAVES of Missouri, Mrs. CAROLYN B. MALONEY of New York, Mr. LOWENTHAL, and Ms. BROWNLEY of California.
H.R. 5675: Ms. ROS-LEHTINEN.
H.R. 5682: Ms. LOFGREN.
H.R. 5689: Mr. PETERSON and Mr. DANNY K. DAVIS of Illinois.
H.R. 5691: Ms. FRANKEL of Florida.
H.R. 5720: Mr. ZELDIN.
H.R. 5732: Mr. DIAZ-BALART, Mr. YOUNG of Indiana, Ms. JUDY CHU of California, Ms. SLAUGHTER, Mr. BARR, and Mr. CHABOT.
H.R. 5813: Mr. FORTENBERRY, Mr. EMMER of Minnesota, and Ms. BORDALLO.
H.R. 5859: Mr. MILLER of Florida and Mr. BURGESS.
H.R. 5862: Mr. RYAN of Ohio.
H.R. 5883: Mrs. HARTZLER and Mr. ROONEY of Florida.
H.R. 5904: Mr. ADERHOLT.
H.R. 5931: Mr. LAMALFA, Mr. GOODLATTE, Mr. JODY B. HICE of Georgia, Mr. COLLINS of New York, Mr. ROSS, and Mr. POMPEO.
H.R. 5941: Mr. LUETKEMEYER, Mr. BURGESS, and Mr. SENSENBRENNER.
H.R. 5942: Ms. FRANKEL of Florida, Mr. MULLIN, Ms. WASSERMAN SCHULTZ, Mr. VALADAO, Mr. BARR, and Mr. DENT.
H.R. 5948: Mrs. MIMI WALTERS of California and Ms. BROWNLEY of California.
H.R. 5958: Mr. CURBELO of Florida, Mrs. RADEWAGEN, and Mr. ROSS.
H.R. 5970: Mrs. WAGNER and Ms. BASS.
H.R. 5980: Mrs. LOVE, Ms. PINGREE, Ms. DUCKWORTH, and Mr. TED LIEU of California.
H.R. 5987: Mr. FLEISCHMANN.
H. Con. Res. 19: Mr. LAHOOD.
H. Con. Res. 50: Mr. FLEMING.
H. Con. Res. 114: Ms. ROS-LEHTINEN.
H. Con. Res. 140: Mr. BISHOP of Michigan and Mr. ROUZER.
H. Con. Res. 146: Mr. ROKITA.
H. Con. Res. 149: Mr. HANNA, Mr. ZELDIN, and Mr. MCKINLEY.
H. Res. 28: Mr. BILIRAKIS, Mr. DOGGETT, Mr. KNIGHT, Mr. BUTTERFIELD, and Ms. HERRERA BEUTLER.

H. Res. 220: Mr. BRENDAN F. BOYLE of Pennsylvania and Mrs. WALORSKI.
H. Res. 265: Ms. JENKINS of Kansas.
H. Res. 296: Ms. WASSERMAN SCHULTZ.
H. Res. 424: Mr. SANFORD.
H. Res. 667: Mr. KENNEDY.
H. Res. 729: Mr. HONDA, Mr. HECK of Washington, Mr. BOUSTANY, and Mr. TURNER.
H. Res. 750: Mr. CÁRDENAS.
H. Res. 782: Mr. MILLER of Florida and Mrs. BEATTY.
H. Res. 798: Ms. FRANKEL of Florida.
H. Res. 807: Mr. GALLEGO.
H. Res. 808: Mr. BRENDAN F. BOYLE of Pennsylvania.
H. Res. 813: Mr. BISHOP of Georgia, Mr. WEBER of Texas, Mr. VARGAS, and Mr. RYAN of Ohio.
H. Res. 831: Mr. YOUNG of Alaska, Mr. PAULSEN, Mr. BURGESS, and Mr. LAHOOD.
H. Res. 840: Mr. CÁRDENAS.
H. Res. 850: Mr. MURPHY of Florida, Mr. NEWHOUSE, Mr. O'ROURKE, and Mr. YODER.
H. Res. 852: Mrs. DINGELL, Ms. MCCOLLUM, and Mr. TURNER.
H. Res. 853: Mr. BROOKS of Alabama, Mr. COOK, and Mr. BRIDENSTINE.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative MILLER, or a designee, to H.R. 5620, the VA Accountability First and Appeals Modernization Act of 2016, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

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Senate

The Senate met at 3 p.m. and was called to order by the Honorable JAMES LANKFORD, a Senator from the State of Oklahoma.

PRAYER

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

Let us pray.

Almighty God, Ruler of all nations, show our lawmakers clearly what their duty is and strengthen them to be faithful in doing it. May they do even the small duties in a way that will glorify You, transforming common tasks into acts of worship. May they fear only to be disloyal to the highest and best they know, never betraying those who trust them. Help them to meet today's joys with gratitude, its difficulties with fortitude, and its duties with fidelity. Bring them to this evening unashamed and with peaceful hearts.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 12, 2016.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JAMES LANKFORD, a Senator from the State of Oklahoma, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. LANKFORD thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.R. 5325.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 516, H.R. 5325, a bill making appropriations for the Legislative Branch 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 ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The 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. 516, H.R. 5325, an act making appropriations for the Legislative Branch for fiscal year ending September 30, 2017, and for other purposes.

Mitch McConnell, John Cornyn, Orrin G. Hatch, Shelley Moore Capito, Thom Tillis, Mike Rounds, Marco Rubio, Cory Gardner, Pat Roberts, Roy Blunt, John Barrasso, Roger F. Wicker, Steve Daines, Daniel Coats, John Thune, Thad Cochran, Susan M. Collins.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum call with respect to the cloture motion be waived.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONTINUING RESOLUTION

Mr. MCCONNELL. Mr. President, Members on both sides have been working toward an agreement to responsibly fund the government. We have made a lot of important progress already. I expect to move forward this week on a continuing resolution through December 9 at last year's enacted levels that includes funds for Zika control and our veterans. Talks are continuing and leaders from both parties will meet later this afternoon at the White House to discuss the progress and the path forward.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

CONTINUING RESOLUTION

Mr. REID. Mr. President, my staff has been working diligently to work with the majority to come up with a way to go forward on spending. We especially need to take care of that, but we also need to address Zika funding. I am not going to lay down any markers here today because we are still trying to work something out, but I do want to say this. Republicans need to get away from their vendetta against Planned Parenthood. We are not going to play any funny games and try to find the money someplace else. Planned Parenthood should not be part of Zika funding.

More than 2 million women received care at Planned Parenthood clinics around the country last year. They didn't go there for abortions. They went there because they needed help with their health care. The women needed that, and they still need it. They need it more than ever now with this scourge that is sweeping our country, which is Zika. I just want to make sure that everyone understands that we

are not going to play any games with Planned Parenthood. It is through. Do your vendetta someplace else because it will not be on the Zika funding.

KOCH BROTHERS

Mr. President, Webster's dictionary defines an oligarchy as ''a government in which a small group exercises control for corrupt and selfish purposes.'' I will state that again: ''a government in which a small group exercises control for corrupt and selfish purposes.'' By that definition, it appears that our government is moving ever closer to an oligarchy just like Putin's Russia.

For the last 8 years, Charles and David Koch and their inner circle of billionaires have wielded immense power within our democracy. Indeed, it is no exaggeration to say that the Republican Congress is bought and paid for by the Koch brothers. These two brothers, who are worth $100 billion, are going to spend any amount necessary to ensure that their interests are represented in city halls, statehouses, and even the very Capitol.

Last year, at one of their secret planning meetings, the Kochs and their cronies vowed to spend unlimited monies to exert influence in this year's elections. I have been disappointed that this Republican Senate has done nothing to stop the Koch's crooked oligarchy agenda. Campaign finance reform is a nasty word to Senate Republicans.

The Senate has a history of standing up to the corrupt interests of tycoons like the Kochs. The Sherman Antitrust Act was written by the Judiciary Committee against the wishes of the Carnegie family, the Carnegie monopoly, the Vanderbilt family, the Vanderbilt monopoly, the Rockefeller family, and the Rockefeller monopoly. When the system is broken, we have a responsibility to try to fix it. Our system of government is being attacked by the Koch oligarchy money, but Republicans have done nothing to oppose this march toward an oligarchy.

This Republican Senate has showed no spine—zero—in confronting the Kochs, who are trying to buy America. In fact, the evidence suggests that they are more than content to go along with the billionaire brothers from Kansas.

The Republican leader's voting record is a perfect example. Between 2009 and 2015, the senior Senator from Kentucky has voted in lockstep with the Koch brothers at least 178 times. Think about that—178 times in 7 years.

The senior Senator from Kentucky is not the only Republican with a documented history of siding with the Kochs. The junior Senator from Florida has voted with the Kochs 92 percent of the time. The senior Senator from Oklahoma has voted with the Kochs 85 percent of the time. The junior Senator from Pennsylvania has voted with the Kochs 84 percent of the time. The assistant Republican leader has voted with the Kochs 82 percent of the time. There are many others in the Republican caucus who I could refer to, but I think the foregoing gives us all an idea of this unprecedented hold on Senate Republicans by the Koch brothers.

Let's look at another example. We all remember—and we should if we don't—what happened earlier this year when the junior Senator from Kansas, Mr. MORAN, had the audacity to admit and suggest that Merrick Garland's nomination to the Supreme Court deserved consideration. He didn't say he was going to vote for him. He simply said he deserved consideration.

What happened after that? Senator MORAN may be the Kochs' biggest and most outspoken supporter in the Senate. He has proven that time and again. He has defended his home State billionaires here on the Senate floor multiple times, but even the loyalty he showed could not spare him from the Kochs' wrath. The Koch brothers rallied their massive political machine against their home State Senator, Mr. MORAN. One of their groups, the Judicial Crisis Network, threatened to launch an ad campaign against Senator MORAN.

What happened? Senator MORAN performed a breathtaking about-face in about 10 minutes, and he has since refused to support a hearing or a vote for Merrick Garland. Whether it is the nomination for the Supreme Court, the Keystone Pipeline, or the Export-Import Bank, Senate Republicans always seem to take the Koch brothers' side, and the Kochs' interest is always based on the profit motive—their profit.

Since Republicans took control of the Senate, they have done nothing for the middle class, nothing to increase the minimum wage or to help to ease the burden of student debt—nothing. But the Republican leader has scheduled multiple votes on Keystone and has tried to roll back EPA greenhouse gas emissions often.

How long will it take Republicans to deny climate change? Climate change is real, and it is here. A week ago yesterday, the New York Times had an unprecedented article giving specific examples of what is happening now—not in the future but now—with climate change, but Senate Republicans, because of the Kochs, continue to close their eyes to the reality that the water levels are rising, putting neighborhoods, whole cities, bridges, and military installations under water. There are the islands off our coasts that have causeways that go to them. You can't go many weeks of the year because they are now swamped with water.

It is clear who this Republican Senate is trying to help, and it is certainly not working American families. But Charles and David Koch are not satisfied. They want to expand their budding oligarchy until it consumes our American democracy. The Kochs don't even mask their intention. Their own publicist explained that the Koch brothers are trying to buy a new government. Here is what he said: ''It is because we can make more profit, OK?'' That is a direct quote. In order to add a few more billion dollars to their bottom line, the Kochs are dumping piles of money in Senate races across the country. They are trying to tighten their grip on the Chamber by electing more stooges.

The Kochs and their dark-money empire are flooding the airwaves with misleading and false advertisements. The ads from the Koch brothers are not always easy to identify. The groups that sponsor them have names that sound harmless enough. Turn on your TV or open your mailbox, and you will see a quick disclaimer in tiny print that says who paid for it. It says things like: ''Sponsored by Concerned Veterans of America,'' ''Sponsored by Freedom Partners,'' ''Paid for by the LIBRE Initiative,'' or ''Paid for by Americans for Prosperity.'' They are afraid to tell us how much money they get from the Koch brothers. Take, for example, the U.S. Chamber of Commerce. No one knows and they won't tell us. It has been suggested that 80 percent of their money comes from the Koch brothers. I don't know if that is right, but I do know that they are doing a lot of spending against the interests of Democrats. As to this disclaimer, such as being paid for by Americans for Prosperity, the LIBRE Initiative, Freedom Partners, or Concerned Veterans of America, it would be accurate to simply say: Paid for by the billionaires, the Koch brothers.

Take a look at Nevada, where the Koch brothers are spending millions of dollars through their shadow organizations so they can tip the scales for their anointed Senate candidate, JOE HECK. He is their puppet. Who is he going to side with on issues that are important to Nevada? The out-of-State billionaire barons who spent millions in buying his election or Nevadans? We already know the answer to that question. JOE HECK's voting record in the House of Representatives says it all. He voted with the Koch brothers 90 percent of the time—in the last year, 90 percent, and in the past, just about the same. So it is 90 percent of the time.

I will give one example from earlier this year. House Republicans had a bill called the Preventing IRS Abuse and Protecting Free Speech Act. The names are a little misleading, and that is an understatement.

Notwithstanding that bill's misleading title, the legislation sought to make it even easier for the Koch brothers to funnel even more dark money to their dark money groups. That is what it was all about.

The Koch network got the word to House Republicans to vote for this bill. So how did JOE HECK vote? Of course he voted with the Kochs. He and his Republican colleagues overwhelmingly voted with the Kochs. That is whom the Kochs want in the Senate—lackeys who will gut consumer and environmental protection and streamline Koch Industries' path to even more profit. Bankrolling extreme candidates is seen as an investment by the Kochs, and they want these investments to pay off—for them.

Charles Koch admitted as much in an interview last year. When asked what he hoped to get from his hundreds of millions of dollars in political donations, here is what he answered—and this is a direct quote: ''I expect something in return.'' Yes, he does.

This is not the American democracy our Founding Fathers established.

The Supreme Court's disastrous Citizens United decision has constructed a political system that has effectively put our government up for sale to the highest bidder. Because of Citizens United, our country has no real restrictions on the money a billionaire or anyone else can spend to buy the government they want. This is proven day after day with the Kochs. They are in fat city. They have unlimited amounts of money.

I went to one of these minor billionaires a couple of years ago, and I said: You have wasted your money. It didn't help. You know what he said to me? He said: It doesn't matter. I have it to waste. I guess the Kochs, with their $100 billion—the man I met was just a billionaire, but they have even more to waste.

As a country we must reject the Koch brothers' efforts to buy our democracy. We must work to rid the system of this dark money. We must address the issue of campaign finance and the unrestrained spending that is squeezing the American people out of their own government.

It is time we revive our constituents' faith in the electoral system and let them know their voices are being heard and not just the Koch brothers' voices.

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

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

WATER RESOURCES DEVELOPMENT ACT OF 2016

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 2848, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2848) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Pending:

McConnell (for Inhofe) amendment No. 4979, in the nature of a substitute.

Inhofe amendment No. 4980 (to amendment No. 4979), to make a technical correction.

The ACTING PRESIDENT pro tempore. The majority whip.

CONTINUING RESOLUTION

Mr. CORNYN. Mr. President, shortly the two leaders of this Chamber will be headed to the White House to update the President on discussions over keeping the government funded and up and running past the end of the fiscal year, which is September 30. I want to briefly remind our colleagues how we ended up in this situation, why it is we are talking about a short-term continuing resolution from this point until December 9 and then revisiting the issue beyond that by December 9.

It is pretty clear everybody understands that a CR, as we call it around here—a continuing resolution—is really a stop-gap spending bill to fund the government, and it is the result of our Democratic colleagues filibustering the regular appropriations process. As the Presiding Officer knows, there are 12 appropriations bills that need to be considered by each of the appropriations subcommittees, then they are voted on by the committee itself, and then they come to the floor of the U.S. Senate, where we take them up in a transparent and orderly sort of way—each of those 12 bills—or at least that is the plan. We brought up bill after bill to do just exactly that this year, and this is the first time since 2009 that all 12 bills have been voted out of the committee and are now available for us to act upon.

That is the way the legislative process is supposed to work and that is the way that is transparent to the American people so they know exactly what we are doing, and they can call us and say: We don't like that or they can call us and say: Well, I do like that. The point is, this is far superior to short-term continuing resolutions or the dreaded omnibus bill that we had to deal with last year; again, as a result of our inability to get the appropriations process to work.

This year, our Democratic colleagues stopped the regular orderly process of passing appropriations bills. One might ask: For what purpose? Well, it is pretty obvious their purpose was to make sure they had maximum leverage in order to force the Federal Government to spend more money—not just on national security matters, which would enjoy a lot of support on this side of the aisle, but to use any increase in national security spending to leverage more nondefense discretionary spending, breaking the caps that have been agreed upon in a bipartisan way previously.

So this is the reason we find ourselves in this distasteful and unpleasant position—Democratic obstruction. Now we are forced to deal with a short-term stopgap bill, which is nobody's first solution. It is not my second or third, but it is something we must deal with, and we will.

JUSTICE AGAINST SPONSORS OF TERRORISM ACT

Mr. President, separately, yesterday our country observed the 15th anniversary of the terrorist attacks on the World Trade Center and at the Pentagon and in a field in Pennsylvania, where brave patriots brought down this plane rather than allow it to come to the Capitol and create or cause other damage and perhaps loss of life. We know that about 3,000 Americans died just in the attack on the World Trade Center.

All of us remember where we were on that day. I certainly do. The only other time in my life that I can tie back to a historic and sad event like that was when John F. Kennedy was killed when I was in junior high school. I remember exactly where I was when President Kennedy was assassinated. So it is that I remember exactly where I was and what I was doing when those planes hit the World Trade Center and those 3,000 Americans lost their lives.

It is important for us to send a message that evil shall not prevail. Americans from all backgrounds came together in a beautiful display of patriotism and fraternity following that terrible day of September 11, 2001. Of course, following those attacks, the United States took military and diplomatic action to bring justice not only to those families but to demonstrate the consequences of attacking the American homeland, but the truth is, the victims and their families still don't have the ability to get justice from the people—including the governments—who helped fund those terrorist attacks. That is where the bill, the Justice Against Sponsors of Terrorism Act, comes into play because if this legislation is signed by the President, it will become the law of the land. It will amend the Foreign Sovereign Immunities Act in a way that will allow Americans to sue State sponsors of terrorism when the terrorist attack occurs on American soil. Believe it or not, under current law, that can't happen. So this law is one that is designed to make sure these families who are still grieving and still don't have closure will be able to seek justice in a court of law against the people who killed their loved ones on September 11.

This is a bipartisan bill. My primary cosponsor in the Senate is Senator SCHUMER from New York. As a matter of fact, this is so bipartisan as to be nonpartisan. It passed the U.S. Senate by unanimous consent. Any individual Senator who wanted to, could stand up and say: I object, and it wouldn't have happened, but nobody did. So by unanimous consent, we passed this legislation in the U.S. Senate. Last Friday, in the U.S. House of Representatives, it passed without any objection. It passed unanimously. I know it is pretty hard for people to actually believe anything gets passed unanimously here in Washington in this polarized political environment, but this bill was passed unanimously.

Now, just after the anniversary of these tragic attacks, the Justice Against Sponsors of Terrorism Act is headed to the President's desk, perhaps as early as today. This legislation will give victims of terror attacks and their families the opportunity to seek justice in a court of law from those who fund and facilitate terrorist attacks.

I want to make clear that contrary to some of the reports, this legislation

doesn't mention any foreign government at all. It is agnostic. What it says is, if you fund and facilitate a terrorist attack on American soil, you can be hauled into court to answer for your crimes, and the families can seek compensation as they would in any other personal injury or wrongful death lawsuit.

This is a straightforward piece of legislation. It simply provides the mechanism to help victims of terrorist attacks on U.S. soil find the justice they need. The American people, through their elected representatives, have been clear in their support for this legislation.

Unfortunately, President Obama has already threatened to veto it, and for what reason I simply am at a loss to say, but I want to point out that this veto threat isn't about a President and his soured relationships with Congress; it is about the victims of 9/11 who have made clear they deserve to have this avenue of justice made into law.

Again, this legislation doesn't mention any particular country, and it doesn't decide the merits of any claim these family members may have. That is left to our justice system, as it should be.

Just yesterday, the families of the 9/11 victims sent a letter imploring President Obama to sign this bill. This is a powerful letter.

Mr. President, I ask unanimous consent that the full text of the letter be printed in the RECORD following my remarks.

The families speak openly in this letter about the grief they still feel not just on the anniversary of 9/11 but every single day. They talk about why justice is so important and how this legislation would help ensure that ''justice delayed for the 9/11 families will not become justice denied.'' And they are right. That justice may have been delayed, but it will not be denied under this bill.

At the end of the letter, they plead with President Obama and ask him not to ''slam the door shut and abandon us. We need the Executive Branch to join Congress and protect us and all future victims of terrorism.''

They say: ''Please sign JASTA.''

These victims have certainly been through a lot and they certainly have the strength of their conviction. I admire the courage they display every single day to get up in the morning and go on about their lives in the aftermath of so much loss and so much tragedy. The least we can do is to make JASTA law so they and others in the future can have access to the courts and a path to justice.

Again, this bill doesn't decide the case; that is left to the court of law. It doesn't target an individual country; it says that any country who sponsors and facilitates and funds terrorist activities on American soil can be called to answer for it in court.

Frankly, I find it baffling that President Obama would rather make life easier for State sponsors of terrorism than he would lend support to the families of 9/11. He should sign this bill. It has an overwhelming display of support in Congress on behalf of the American people. I hope he reconsiders his previously threatened veto, but if President Obama does veto it, I hope he doesn't leave the American people and the victims of terrorism in limbo. If he is going to veto this legislation, he should not delay so Congress can quickly consider whether to override that veto and make the Justice Against Sponsors of Terrorism Act the law of the land. There is a way, if the President decided to play games with the victims of 9/11 and these families who have suffered so much, that he could make it hard, if not impossible, for Congress to vote to override the veto, but one thing he can do, out of respect for them and the memory of their lost loved ones, is to go ahead and veto it, if that is his determination, and then send it back here and then let Congress vote to override the veto, which I am confident we will.

Mr. President, I yield the floor.

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

SEPTEMBER 11, 2016.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: We are all mothers, fathers, wives, husbands or children who lost loved ones in the cruel and devastating attack on America fifteen years ago today.

We miss them. And we grieve at what they have missed in lives cut short by terrorists whose immediate targets were innocents and whose ongoing target is everything America has stood for, fought for and promised to protect and defend since our union was formed. And we anguish especially as we witness the spread of the poisonous ideology that is determined to ensure that 9/11 was only the beginning.

This is a hard day for all of us. But, as we are sure you must know, they are all hard, not just the anniversaries. For some of us, though, this day is harder than any since the attack and we want you to understand why.

We and so many other families have fought for years to know all of the truth about 9/11. We have fought to ensure that anyone and any entity that may have had a responsible role in the murder of 3000 people in New York, at the Pentagon and across a field in Pennsylvania is held to account for their actions. And, we have struggled to make sure that our laws—and those who are sworn to uphold them—leave nothing undone in our battle against terrorism.

The Justice Against Sponsors of Terrorism Act addresses a missing piece of America's antiterrorism campaign—a piece that is missing because of grievously errant misconstructions of earlier laws meant to ensure that the families of Americans harmed or killed as a result of terrorist attacks with respect to which foreign governments may be complicit will be able to seek justice in our courts. That right is important for our Nation, because it will help to deter state-sponsored terrorism. It will help uncover truth—such as the mysteries surrounding the ability of 19 hijackers—barely educated, not speaking much English and without visible resources—to come to America, learn to fly, set up camps in several cities and hijack four commercial airliners, crashing them spectacularly into the heart of our Government and the heart of our economy.

You have had your differences with us about JASTA. And we have been supportive of the reasonable efforts Congress has made to address your misgivings. But, now, Congress is done, and the result is legislation that both the United States Senate and the House of Representatives passed without a single dissenting voice.

JASTA will be delivered to you soon, perhaps tomorrow. And, here lies the reason this day is made even harder than past anniversaries: we don't know what you will do. We are left to wait, to hear remembrances and reassurances and regrets.

Mr. President, we don't need your comfort. We have each other. We don't need words—other than the words ''I will sign JASTA into law when it reaches my desk.'' We need those words and a simple action—the stroke of the only pen that can give us and the American people the assurance they need that your foreign policy and your defense of this great Nation include a determination that truth be our guidepost, that victims of terrorist attacks also have rights in our courts and that the justice delayed for the 9/11 families will not become justice denied.

Please, Mr. President, don't slam the door shut and abandon us. We need the Executive Branch to join Congress and protect us and all future victims of terrorism. Please sign JASTA.

Sincerely,

Terry Strada, widow of Tom Strada, North Tower; Sylvia Carver, sister of Sharon Carver, Pentagon; Veronica Carver, sister of Sharon Carver, Pentagon; Bill Doyle, father of Joseph Doyle, North Tower; Gordon Haberman, father of Andrea Haberman, North Tower; Alice Hoagland, mother of Mark Bingham, Flight 93; Emanuel Lipscomb, survivor, civilian rescuer, NYC; Marge Mathers, widow of Charles W. Mathers, North Tower; Ellen Saracini, widow of Capt. Victor Saracini, pilot of Flight 175.

Kristen Breitweiser, widow of Ronald Breitweiser, South Tower; Curtis F. Brewer, widower of Carol K. Demitz, South Tower; Gail Eagleson, widow of John B. Eagleson, South Tower; Lisa Friedman, widow of Andrew Friedman from World Trade Center; Tim Frolich, personal injury survivor, North Tower; Monica Gabrielle, widow of Richard Gabrielle, South Tower; John Jermayn, personal injury survivor FDNY; Mindy Kleinberg, widow of Alan Kleinberg, North Tower; Kathy Owens, widow of Peter J. Owens Jr, North Tower; Melissa Raggio Granato, daughter of Eugen Raggio, South Tower; Charles G. Wolf, widower of Katherine Wolf, North Tower.

The ACTING PRESIDENT pro tempore. The assistant minority leader.

THE APPROPRIATIONS PROCESS AND ZIKA VIRUS FUNDING

Mr. DURBIN. Mr. President, my friend and colleague from Texas came to the floor to describe the budget and appropriations process which we face in this session of Congress. Our fiscal year begins October 1, and it is only a few weeks away. Under the orderly course of business, we would pass 12 different appropriations bills and fund the government for the next fiscal year. To date, we have not passed any of those bills in the Senate.

I would like to say a word in defense of the Senate Appropriations Committee on which I am honored to serve. This committee has had lengthy hearings and has produced 12 appropriations bills. I would say that these bills

are good, bipartisan bills and with only a few exceptions are being brought forward in good faith in an effort to meet our constitutional obligation to fund the government.

One of the earliest bills that were brought forward was the Military Construction and Veterans Affairs bill. It is not considered to be a highly controversial bill, and it was understandable that it was one of the first appropriations bills brought to the floor. The Senators who prepared the bill—Republican Senator KIRK from Illinois, my home State, Democratic Senator JON TESTER—brought it to the floor. They added a provision in the bill that the President asked for to deal with the Zika crisis.

Back in February, President Obama asked for $1.9 billion to deal with the public health crisis caused by this mosquito-borne disease, the Zika virus. We have reports from around the world that pregnant women who are infected with this virus by a mosquito or by other means are giving birth to children with terrible birth defects. The President called on us in February to give him the resources to help fight the spread of this mosquito in Puerto Rico, one of the territories of the United States, and in the United States of America and also asked for the resources to help develop a vaccine, which all of us would be interested in seeing as quickly as possible, to protect innocent people from this mosquito-borne disease.

So we took the President's request, and after some debate, Senators Murray and Blunt, a Democrat and Republican, agreed on $1.1 billion of the $1.9 billion asked for by the President. They added it to the Military Construction spending bill. It made sense. When they called it for a vote here in the Senate, the vote was 89 Senators in favor of this Military Construction appropriation bill with the Zika money included. I felt pretty good about that.

On a bipartisan basis, we had responded to the President in May of this year and passed the first appropriation bill to be sent to the House. What my friend from Texas, the Senate majority whip, failed to mention was what happened to that bill once it left the Senate. So 89 Senators, both Democrats and Republicans, supported the bill and sent over what we considered to be a responsible, clean bill. What did the House do? Did it take up this measure and pass it with the emergency provisions to deal with the Zika crisis? No. Therein lies the problem with the appropriation process. The same House Republican majority that ran John Boehner of Ohio out of town as Speaker decided to flex their muscles on this bill. Do you know what they put in the bill? They took this bill that was a bipartisan clean bill and added the most objectionable political issues.

Let me give an example. They added into this bill a question about whether Planned Parenthood would be funded to provide family planning, especially for women who were trying to avoid a pregnancy because of the threat of the Zika virus. They put a prohibition against the funding of Planned Parenthood. Last year, 2 million American women used Planned Parenthood. It is understandable that when they attack Planned Parenthood, it is a controversial issue. I stand in favor of what Planned Parenthood does when it comes to family planning. Others disagree. But why would you add that to a bill on a public health crisis about Zika? Why would you put it in a Military Construction and Veterans Affairs bill that has nothing to do with Planned Parenthood's activities?

Secondly, the House Republicans cut $500 million out of the Veterans' Administration that was being used to expedite the claims of veterans. We know the story back in Chicago and Illinois. A lot of our deserving veterans have been waiting in line for month after wary month for approval of their disability claims. We put in resources to speed that up. The House Republicans took the $500 million out of the Veterans' Administration. That is controversial, unnecessary, and unfair to veterans.

Then, to add insult to injury, there was a third provision. They decided to suspend the authority of the Environmental Protection Agency when it came to the use of certain chemicals to fight the mosquitoes. Well, that carries controversy with it. Clean water is certainly something we all value, and we wouldn't want to compromise it. The House Republicans added that in.

There was one more provision they added to make it clear that this was a political exercise from the House. Listen to this one. There was a ban on the display of Confederate flags at U.S. military cemeteries. The House Republicans removed that ban so that Confederate flags could be displayed at U.S. military cemeteries.

So a bill we passed with 89 votes—a strong, bipartisan bill—a bill that included a bipartisan compromise to deal with the Zika virus in a timely fashion, was sent over to the House of Representatives and was freighted with the most political issues imaginable to be sent back home over here.

If the Senator from Texas wonders why the appropriations process broke down, don't blame the Senate Appropriations Committee. For the most part, they have done their work. Don't even blame the Senate itself. When it came to voting on the Military Construction bill, we voted on a bipartisan basis to go forward. The process fell apart across the Rotunda with the House Republicans.

So if we are going to get this done—and I hope we do—we need a short-term spending bill called a continuing resolution. It will take us through the month of October, a campaign month, through the month of November, when we return and face the Thanksgiving holidays, and into early December. That, to me, is a reasonable thing to do to give us time to finish the appropriations process, but in the meantime, we have to get back on track—and the President joins me in what I am about to say—to take out these controversial political provisions, particularly those originating in the House from the Republican leadership, and get down to the business of funding this government in a responsible fashion.

I will take exception to one statement by the Senator from Texas. He said the Democrats were trying to spend more money. That didn't quite tell the whole story. We have an agreement which says that if we want to increase defense spending—I will vote for that—we have to increase nondefense spending in a similar fashion—same amount, equal amount. Why would we want to increase nondefense spending? Education, Pell grants, student loans, helping children in Head Start Programs, making sure hungry families across America have enough to eat, making certain the FBI is adequately funded—there are a lot of things when it comes to the nondefense side that are important for America's future and for our security. All we are asking for is fair treatment. Increase the Department of Defense, similar increase in nondefense spending—that is it.

If we can get back on track, I think we can, incidentally, get this done. I hope the leadership on the Republican side—and they control the House and the Senate—will decide to give us this short-term CR until early December and put a clean Zika provision in, the same one that passed the Senate. That would be a way to resolve our differences and to address this public health crisis which has taken too many lives across the world and has certainly caused horrible outcomes when it comes to pregnancies of women who are infected.

AFFORDABLE CARE ACT

Mr. President, last week a number of my Republican colleagues came to the Senate floor to discuss the Affordable Care Act, otherwise known as ObamaCare. They didn't come to offer the Republican alternative to the Affordable Care Act. They didn't come forward with proposals on how to improve the Affordable Care Act. They came here basically to say they were against it, period. That is no surprise.

Considering that the Republicans have spent the last 6 years attacking the Affordable Care Act, I think it is time that America hears at least some part of the other side of the story. I would like to take a moment to talk about what has happened in this country since the passage of the Affordable Care Act, or ObamaCare.

Since the Affordable Care Act became law, the uninsured rate has declined by 43 percent in America, from 16 percent uninsured in 2010 to 9.1 percent in 2015. To put it another way, the number of uninsured people in the United States has declined from 49 million in 2010 to 29 million in 2015. Stated

another way, more than 20 million people have gained health insurance because of this law. For the first time ever, more than 9 out of 10 Americans have health insurance.

Have you ever been in a position in your life when you didn't have health insurance? Have you ever been a father with a brandnew baby who needed the best medical care and you didn't have health insurance? Have you ever wondered how you would take care of your child and your family when you couldn't provide them with health insurance? I have. I went through it. It scared me to death—a brandnew dad, so happy and proud, and then a medical challenge in my family occurred, and we had no health insurance. I went to a local hospital here with my wife and baby, sat in the chair in the ward, and waited for our number to be called. I was a law student and I didn't know what was going to happen next. Luckily, we had good medical care. We paid for it. The care that wasn't covered by insurance cost us quite a bit of money in those days, and it took us a long time to pay it off. But I never felt more inadequate as a father than sitting there without health insurance. Have you ever been there? If you have, you will never forget it. I have been there.

For this country, 20 million people today have the peace of mind of health insurance who did not have it before ObamaCare. This represents the largest decline in the uninsured rate since we created Medicare and Medicaid in the 1960s.

Since the Affordable Care Act became law, Americans no longer have to worry about a lot of discriminatory things that were being done to families before we passed the law. Health insurance companies can no longer refuse to provide you insurance because of a preexisting condition.

Does anybody in your family have a preexisting condition? Certainly in our family, and most. It could be diabetes, a child who survived cancer—think of all the possibilities. In the old days before the Affordable Care Act, they could just say no in terms of covering your family or raise the rates to high heaven to make it impossible to pay for insurance. This provision alone on preexisting conditions protects 129 million Americans, 19 million children. When the Republicans come to the floor to say they want to abolish the Affordable Care Act, what do they say about the 129 million Americans with preexisting conditions? What do they say about the 19 million children with preexisting conditions? Not one word.

These insurance companies can no longer charge women more than men for the same insurance policies. That is right. There was blatant discrimination—charging women more than men for the same health insurance policies. Who is protected by that? Well, 157 million women in America. Did the Republicans suggest, when they abolish ObamaCare, what they are going to do to protect these women? Not a word.

Insurance companies can no longer impose annual or lifetime caps on benefits. Remember those days? People get gravely ill, a diagnosis they hadn't expected, an accident, and then they find out they are in for a long period of care, which is very expensive, and they check and find that their health insurance plan has a cap on how much it will pay. The rest of it was on your shoulders, and for many people that meant a trip to bankruptcy court. This provision alone protects 105 million Americans—including 39.5 million women and 28 million children—who were previously subject to these arbitrary caps. What did these Republican Senators say about protecting these families if they abolished ObamaCare? Nothing.

No longer, incidentally, under ObamaCare, can insurers spend large percentages of your premium dollars on advertising and the salaries of the fat cats who run the company. This has protected 5.5 million consumers who received nearly $470 million in rebates last year. Under ObamaCare, insurers can't impose copays on important preventive health services, such as immunizations, cancer screenings, and birth control.

Because of the Affordable Care Act, because of ObamaCare, Medicare is better for the 55 million seniors who depend on it. There was the dreaded doughnut hole. Do you remember that one? That was when a senior on Medicare would have pharmacy bills. The original Medicare Program for pharmacy didn't cover all expenses. It is a strange thing to explain, but it would cover expenses on the front end of the year, and then they would have to go into their savings accounts. I would say to the Senator from Florida, who knows senior issues better than most, it was called the doughnut hole, and we changed it.

So we changed it. We are filling the doughnut hole. We are closing it and phasing it out. That saves 10.7 million Medicare prescription drug beneficiaries an average of almost $2,000 each. What have we heard from Republicans about replacing that provision? Nothing.

The Affordable Care Act also encourages health care providers to focus on quality of care, not just quantity. As a result, American lives are being saved. Because of the provisions in ObamaCare, hospital-acquired conditions have declined 17 percent in 6 years. Infections, adverse drug events that resulted in patients staying in hospitals longer and even dying have dramatically decreased. That has prevented 87,000 deaths over the last 4 years.

In Illinois, we have seen the benefits as well. Between 2013 and 2015, the rate of uninsured among 18- to 64-year-olds decreased from 17.8 percent to 10.6 percent, a 7.2-percent drop, one of the largest in the Nation. Prior to ObamaCare, the Affordable Care Act, an estimated 1.8 million Illinoisans were uninsured. Today, the number is below 800,000.

In terms of health insurance monthly premium costs, Illinois ranks 15th as one of the most affordable nationwide. Now Republican Senators single out newspaper headlines talking about premium increases. They have claimed ObamaCare is the reason. I am troubled by certain aspects of these rate increases. I think it is important to take a close look at them.

In recent years, there have been a lot of stories in the press about premium increases for some plans, in some cities, for some people. The Republicans have come to the floor to tell all of these stories that they can. It is important to note that premiums for employer coverage, Medicare spending, and health care prices have all grown more slowly under the Affordable Care Act than before.

For employer premiums, the past 5 years included four of the five slowest growth rate years on record. Medicare spending is $473 billion less than was projected before the Affordable Care Act. Health care price growth since the Affordable Care Act became law has been the slowest in 50 years. You don't hear that in the speeches from the other side of the aisle.

Where premium increases have been most prevalent is in the individual market. Out of 350 million Americans, 11 million are in this market. I am troubled by the increases in those markets. But it is important to remember that is a small portion of the overall market. Most people who get coverage through the insurance exchanges of ObamaCare—that is more than 80 percent of them—receive a tax credit to help them pay their premiums. Let's not forget that premium increases were around long before the Affordable Care Act.

In 2005, 5 years before the Affordable Care Act, a Los Angeles Times headline read, ''Rising Premiums Threaten Job-Based Health Coverage.'' In 2006, 4 years before the Affordable Care Act, a New York Times headline read, ''Health Care Costs Rise Twice as Much as Inflation.'' In 2008, 2 years before we passed the law, the Washington Post headline read, ''Rising Health Costs Cut Into Wages.''

Democrats passed the Affordable Care Act to combat these premium increases, which were devastating families, bankrupting individuals, and squeezing employers' budgets. Despite all the anti-ObamaCare rhetoric being peddled by my Republican colleagues, the major aspects of this law are working. More Americans are insured than ever before. We have ended the most discriminatory and dishonorable practices of the health insurance industry, and we have taken important steps to improve and strengthen Medicare.

Is the law perfect? No. The only perfect law was carried down the side of a mountain on clay tablets by Senator Moses. All the rest of our efforts can use a little work. I think Senator NELSON from Florida and I would agree. We

supported the bill, but we would sit down with the Republicans tomorrow to find ways to strengthen it, make it fairer, make it better. That is constructive, but that is not what we hear from the other side. The other side says: It must go away. That is no way to bargain.

Instead of working, Republicans have, at every possible opportunity, tried to end the Affordable Care Act. They broke all records in the House of Representatives. We think they voted 60 times to abolish the Affordable Care Act. It almost became the regular vote before they went into recess: Oh, before we leave, let's vote to abolish it—knowing that that wasn't going to happen and shouldn't happen.

What we know now is that we can make this law better. We should work to do it. We have to deal with some of the issues that are before us. If the Republicans would sit down, there are some steps we could take together. The marketplaces are working for the vast majority of Americans. Some 88 percent of enrollees live in a county with at least three choices for health care. There is still more we can do for those who have only one or two choices to face in their areas.

When we debated the Affordable Care Act, many of us on the Democratic side, myself included, said: Why don't we have one Medicare-like public plan that is available across the United States? That could compete with private insurers and bring prices down. There was a lot of fearmongering. People stopped us from our efforts to include a universal Medicare plan as part of it. I would like to return to it.

To help balance the risk pool and attract Americans in the marketplaces, particularly healthier younger people, we should expand financial assistance to help middle-class families better afford coverage. We must address one other issue that we all know is front and center—the price of pharmaceuticals, the price of drugs. This is the elephant in the room when it comes to this conversation. It is one which most Members of the Senate and House are running away from.

When drug companies increase their prices or put new treatments on the market that are exceedingly expensive, insurance companies are forced to come up with the money to cover the cost, and often they pass the cost along in higher premiums. An Illinois insurer recently told me that drug expenses, the cost of pharmaceuticals, used to account for about 15 percent of this health insurance policy cost. The number now, a year later, is up to 25 percent, and there is no end in sight.

We have asked doctors and hospitals and medical device companies and other medical professionals to bring us quality and lower costs, but we put no burden on the pharmaceutical companies. The most recent Medicare Part D data show that 46 percent of the most commonly prescribed drugs had a double-digit price increase in 2014. A recent Reuters report found that prices for 4 of our Nation's top 10 drugs have increased by more than 100 percent since 2011. Six others went up 50 percent. What did that mean for those who use the drugs?

The price for the arthritis drug Humira went up 126 percent. The multiple sclerosis drug COPAXONE went up 118 percent. The asthma drug Advair went up 67 percent. Mylan Pharmaceuticals just increased the price of EpiPens. Did you read about that one? They increased the price of EpiPens from less than $100 for a pack of two in 2007 to more than $600 today. It is the same drug but a 550-percent increase in cost.

This last Friday in Chicago, a young man came to see me. He has been battling diabetes for as long as he has been alive. It is a daily battle; it is an hourly battle to try to ensure that he doesn't succumb to this disease. His mom and dad were with him. He put in front of me a list of what it costs now for insulin and for the basics that diabetics need across America. The costs just keep going dramatically. It is not pinned to the original research cost of the drug at all. Many of these drugs were on the market for years at a reasonable cost, but now the pharmaceutical companies are kiting the costs. Let me be clear. We will not be able to get a handle on rising health care costs if we are unable or politically unwilling to address escalating drug prices.

Something has to be done. I support a wide range of ideas, from requiring drug companies to disclose how they arrive at pricing, to allowing Medicare to negotiate for drug prices, from shortening the monopoly period that drug companies enjoy before generic competition, to ending the pay-for-delay arrangements that necessarily keep generic drugs and lower prices away from consumers. We should also explore imposing a tax on companies that arbitrarily raise their prescription drug prices significantly over the previous year.

I will close. The bottom line is, the Affordable Care Act is working. Twenty million Americans now have health insurance. Being a woman is no longer considered a preexisting condition. Kids can stay on their parent's health care plans up to age 26. Insurers can no longer kick someone off insurance if they get sick or cost too much.

Just as we had to make changes and improvements in Medicare over the years, the Affordable Care Act can work better if we set aside politics and sit down together and work on it. The Affordable Care Act is here to stay. So let's stop trying to repeal it and undermine it. Let's make it stronger and better for the future of America.

Mr. NELSON. Mr. President, will the Senator yield for a question?

Mr. DURBIN. Mr. President, I will be happy to yield through the Chair.

Mr. NELSON. Mr. President, I want to say to the Senator from Illinois that that was an excellent recitation of what the Affordable Care Act has done to ensure health insurance and provide health care for the people of our country. This Senator just wants to underscore one statistic that the Senator from Illinois cited. The Senator cited that 20 million people in the country have health insurance who did not have it before.

If the Senator would recall, when we started this deliberation on cobbling together this new law, we were told that there were approximately 45 million people in the country who did not have health insurance. Now, when you break down that 45 million, 11 million of them are undocumented and, therefore, under the law are not eligible to have health insurance.

So that leaves 34 million. When you take the 20 million that presently have health care that the Senator cited and add to that 4 million more that will be covered by Medicaid expansion in the 16 States that have refused to expand Medicaid to 138 percent of poverty, now we are talking about 24 million of an eligible population of 34 million. That is two-thirds. That is extraordinary. That has happened just in the last few years.

Would the Senator from Illinois believe that?

Mr. DURBIN. In response through the Chair, the Senator from Florida knows this issue as well as or better than most. He understands the progress that has been made. I am sure he agrees with me that we can do better; we can improve this law. We can make it work better, but only if we do it in a constructive, bipartisan way. I listen carefully when my Republican colleagues come to the floor thinking they want to abolish the Affordable Care Act and replace it with—they never finish the sentence. They don't have a replacement.

So what are we going to say to the 20 million Americans who now have health insurance because of this law? You are on your own again. Sorry, your family is not covered. That is no answer. I would agree with the Senator from Florida that we have come a long way. We can improve this law and make it better and stronger. I think our goal to bring more people under the protection of health insurance and to slow the rate of growth in health care costs has been achieved. But to make it go forward in the right way we need to work together.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

ZIKA VIRUS FUNDING

Mr. NELSON. Mr. President, I want to speak about health care, and it is a health care crisis that is upon us right now. It is the Zika crisis. Happily, if my voice will hold out, I am here to share with the Senate that I think we have finally found a path forward to fund the fight against Zika. The specifics are still being worked out, but it seems that there will be a deal, and we

will soon be able to move forward on doing what we tried to do last summer, which is to fund the crisis that we know as the Zika crisis.

Let me just briefly describe it. Populations outside of the continental United States, such as Brazil, are highly infected populations because of the presence of this type of mosquito, the Aedes aegypti mosquito. It is not like a normal mosquito. Normal mosquitoes come out at night. They fly all around in the countryside. When this Florida boy grew up, I was bitten by so many mosquitoes I was almost immune. But this aegypti mosquito lurks in the dark corners of your house. She lays her eggs, her larva, in stagnant water—but not a pool, not a pond like normal mosquitoes; they can lay their larva in a still surface of water as small as a bottle cap that has caught water. As a result, this mosquito transmitting the virus feeds not on one person at a feeding but four people. Thus, an infected mosquito has now transmitted the virus to four people who, in turn, can now transmit it to others by sexual contact or another uninfected mosquito bites the infected person. Now that mosquito is infected and it goes go on. You see how it can expand.

In Florida, there are 756 cases of the virus that we know of, and that includes 84 pregnant women. Why do I say pregnant women? Because if you get the virus, it is just like a mild flu, but if you are pregnant and you get the virus in the first trimester of pregnancy, there is a 2-percent to 11-percent chance that your baby is going to be deformed. The virus attacks the developing fetus in the brain stem and causes the brain and the head to shrink. That is what we are dealing with.

When we left in the summer, early July, to some Senators it was ''out of sight, out of mind,'' but we have seen the increasing numbers of cases, thousands now nationwide, 756 in Florida alone. By the way, that is just what we know of. The CDC is estimating that there are four people walking around with the virus for every one that we know of, so you see the problem.

To bring this back to politics, I can tell you that the people in Florida are very agitated. I have been there the last two weekends, and I can tell you it is the No. 1 issue on their minds. The fact that some of our Republican colleagues—particularly in the House of Representatives—are willing to put ridiculous riders on the Zika funding bill and insist on that for three votes—let me take you back. Remember, we had an overwhelming, bipartisan vote in this Senate for $1.1 billion to get at it. To do what? Local mosquito control, health care assistance, and continued research on the vaccine. We are another 1 year or 2 years away from the vaccine, but the Food and Drug Administration is ready to go with the first trial. It takes money. They have run out of money. We need to do it. The Senate recognized that.

We passed it months ago, I think by 89 votes out of the 100 Senators. We sent it to the House, and the House decided to play politics. They add something to do with the Confederate flag. They add something to do with defunding Planned Parenthood. They add something that has to do with cutting Medicaid money going to Puerto Rico. Why is that particularly onerous? The CDC estimates that 25 percent of the population of Puerto Rico is infected, that a quarter of the people are infected. Of all places, an island territory with American citizens—a territory of the United States—is where we ought to be helping with health care for a very poor population. We shouldn't be cutting additional funds for Puerto Rico. Yet that is what we have been faced with.

I am of a mind of new optimism now because I think common sense is beginning to break out.

In this Florida situation of 756 cases, we have seen newspaper reports that the State of Florida government hasn't been transparent about the spread of the virus in our State. Over the weekend, the Miami Herald reported that ''the information issued by the governor and state agencies has not been timely or accurate—cases announced as 'new' are often several weeks old, because of a time lag in diagnosis—and excludes details that public health experts say would allow people to make informed decisions and provide a complete picture of Zika's foothold in Florida.''

As we have said many times on this floor, this is not the time for political games. Those games should be over, and we should do it. The wonderful news that a deal is being struck is welcome news to this Senator.

The threat that this country faces from the spread of this virus is real. The virus-carrying mosquito, the Aedes aegypti, is in the State of the Senator from Iowa—a State you wouldn't normally think of as having mosquitoes. We are in the midst of a public health crisis, and it should be treated like the emergency it is.

So as we await the final details of this possible deal, it is important to remember that no one agency, State, or leader is going to solve this crisis alone. Those who saw this virus as a political opportunity are the ones who got us into this mess of delay, month after month. The virus is not a political opportunity; it is a public health emergency. To stop the spread of the virus, we are going to have to do what we did months ago—come together in a bipartisan fashion.

As Congress comes together to finally act, we are going to need leaders across the country to act prudently and expeditiously to put these funds to use as quickly as possible.

Members of Congress, pass the Zika bill. We need it now.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

FBI'S RELEASE OF CLINTON INVESTIGATION MATERIAL

Mr. GRASSLEY. Mr. President, I ask unanimous consent to have printed in the RECORD at the end of my speech articles from the Boston Globe on September 6, 2016, and the New York Times on September 8, 2016.

Mr. President, today I wish to discuss my very serious concerns about the FBI's selective release of Clinton investigation material and especially how the Senate is handling the unclassified but not yet public information provided by the FBI.

On the Friday before a holiday weekend, the FBI chose to release to the public only two of the dozens of unclassified documents it provided to the Congress.

Director Comey said: ''The American people deserve the details in a case of intense public interest'' and ''unusual transparency is in order.'' He is right. The people have a right to know, but actions speak louder than words. Right now the public has only a very narrow slice of the facts gathered by the FBI.

The FBI has released only its summary of the investigation and the report of the interview with Secretary Clinton. However, its summary is misleading or inaccurate in some key details and leaves out other important facts altogether. There are dozens of unclassified reports describing what other witnesses said, but those reports are still hidden away from the public. They are even being hidden from most congressional staff, including some who have been conducting oversight of the FBI on these issues. Why? Because the FBI improperly bundled these unclassified reports with a very small amount of classified information and told the Senate to treat it all as if it were classified.

This is certainly not the ''unusual transparency'' Director Comey said he would provide. In fact, it is just the opposite: unusual secrecy. Normally, when an agency sends unclassified information to the Office of Senate Security, the office that handles and controls classified information, there is a very simple solution. The executive order and regulations governing classified information require that information be properly marked so that the recipient knows what is and is not classified.

In the past, when the Judiciary Committee, which I chair, needed to separate classified information from unclassified information, the Office of Senate Security very simply looked at the markings on the paper and provided copies of the unclassified information without any restrictions, but that has not been done in this specific case. Why not? Because the FBI has instructed the Senate office that handles classified information not to separate the unclassified information which could then be made public. Think about that. The FBI, part of the executive branch of government, is instructing a Senate office about how to handle unclassified information.

Our Constitution creates a carefully balanced system of separation of powers—executive, judicial, legislative. The executive branch cannot instruct a legislative branch office to keep information from the public unless the legislative branch agrees or there is a legal basis for keeping the information secret.

There are laws governing the handling of classified information, but those laws cannot and should not be used to shield unclassified FBI documents from public scrutiny and vigorous constitutional, congressional oversight. But even setting aside the constitutional concerns, what is happening now is totally inconsistent with the executive branch's own rules and regulations regarding classified information. This is what Executive Order No. 13526 says:

> The classification authority shall, whenever practicable, use a classified addendum whenever classified information constitutes a small portion of an otherwise unclassified document or prepare a product to allow for the dissemination at the lowest level of classification or in unclassified form.

That is the quote from Executive Order No. 13526. The binder the FBI delivered containing interview reports is, very largely, unclassified. The vast majority of these reports are unclassified in full and the rest have only a few classified paragraphs in each one.

According to the executive order I just quoted, the FBI—part of the executive branch of government—should have provided a separate set containing primarily classified material that could not be separated from an unclassified portion.

Further, that same executive order states—and I want everybody to get this quote: ''In no case shall information be classified, continued to be maintained as classified, or fail to be declassified in order to: prevent or delay the release of information that does not require protection in the interest of national security.''

That is an executive order that ought to bind the FBI. Unclassified material is, by definition, information that does not require protection in the interest of national security. Yet contrary to this executive order, it is being locked away from the public and even most congressional staff and maintained as if it were classified.

Americans deserve accountability from their government. There will not be any accountability if the Federal Government is not transparent. The American people deserve to know the truth. I want to be clear with the American people about what is going on here. If the FBI wants to provide unclassified information to Congress but also keep it hidden from the public, then it should discuss the issue with the committee and negotiate any restrictions beforehand. It should not be allowed to unilaterally impose its will on its oversight committee by delivering documents with all kinds of restrictions that prevent the committee from using those documents. The selective releases of some of the documents deprives Congress and the public of the full context. It is not fair to the public, to the Congress, or to Secretary Clinton. That is why, using common sense, even Secretary Clinton has called for information to be released in full. I agree with her 100 percent.

The FBI says it sent these documents to the Hill in keeping with our oversight responsibilities. Well, oversight and investigation mean more than just receiving whatever information the FBI provides. Independent oversight means double-checking the facts, it means contacting witnesses, and it means asking followup questions. We can't use these documents to help us perform these three steps if they are locked away in the basement of this building. In order to do its job, the committee will have to refer to these documents in the course of speaking to other witnesses and writing oversight letters. This is principles of investigation 101—very elementary.

The FBI is still trying to have it both ways. At the same time the FBI talks about ''unprecedented transparency,'' it is placing unprecedented hurdles in the way of congressional oversight of unclassified law enforcement matters. It turns over documents but with strings attached. It unilaterally instructed the Senate to keep them secret, even though they are unclassified. They want to keep the information locked up. If we honor that instruction, we cannot do our constitutional duty of acting as an independent check on the executive branch and, in this case, the FBI.

At least the FBI has publicly released small portions of this unclassified material I am talking about. However, that selective release has contributed to inaccuracies in the public discussion of this issue. That is why I agree with Secretary Clinton that it should all be released as soon as possible.

Here is why: On Tuesday, the Boston Globe article wrote about evidence from the publicly released FBI summary that suggests an engineer for an IT company managing the server may have intentionally deleted emails, even though that engineer knew they were the subject of a congressional investigation subpoena.

That is the article I asked for and received permission to put into the CONGRESSIONAL RECORD.

The timeline of that deletion the Boston Globe is talking about occurred around the conference call with that engineer, Cheryl Mills, and David Kendall—Hillary Clinton's lawyers. Relying on the publicly available information, some have claimed the engineer deleted the emails on his own volition.

Whether he did so on his own or at the instruction of somebody else is of course a very key question, and there is key information related to that issue that is still being kept secret, even though—it is being kept secret—even though it is unclassified. If I honor the FBI's instructions not to disclose the unclassified information it provided to Congress, I cannot explain why.

Meanwhile, the New York Times has reported that a second computer expert that worked on Secretary Clinton's servers for a contractor was also given immunity by the Department of Justice. The Department of Justice didn't inform Congress about the immunity deal. The Department of Justice is briefing the New York Times anonymously while refusing to answer questions from its oversight committee about the immunity deals.

Why is it the New York Times gets information for investigation, but the Committee of Commerce doesn't get that same information? At the same time, the FBI is putting a stranglehold on unclassified documents that describe what these witnesses said to the FBI. This is the opposite of the transparency which we are told by the FBI is so important because this is a high-profile case.

The other witness granted immunity—Bryan Pagliano—pled the Fifth to Congress. Congress has a right to question these individuals. They have reportedly received some sort of immunity for their cooperation with the FBI. The public ought to know what information they provided in exchange for a get-out-of-jail-free card.

The American people deserve the whole truth. The public's business ought to be public, and if it is not classified, then all the facts should be part of the public discussion.

Inaccuracies are spreading because of the FBI's selective release. For example, the FBI's recently released summary memo may be contradicted by other unclassified interview summaries that are being kept locked away from the public. Unfortunately, the public can't know without disclosure of information, that the FBI has instructed the Senate not to disclose.

I have objected to those restrictions. I have written to the Office of Senate Security twice, noting that the Judiciary Committee did not agree to those restrictions. I have asked the FBI to provide the unclassified material directly to the committee. That letter has not been answered.

These kinds of restrictions and document controls on unclassified information have no legal basis and there is no authority for them. They are unprecedented and out of bounds. They violate the executive order I quoted—the executive order on classified information—and they intrude on Congress's constitutional authority of oversight.

This is not only an issue for the Judiciary Committee, this isn't only an issue in regard to what the FBI investigated or didn't investigate in regard to Secretary Clinton, this is an issue for every Senator—all 100 Members of the Senate—and every Senate committee to give deep consideration to because Senators need to consider the consequences of allowing the executive

branch to unilaterally impose restrictions on unclassified information like this and tell a separate branch of government what we can do under the Constitution.

Every Senator should realize, if this is allowed to stand, that other agencies will be able to abuse the system to undermine transparency, and we need transparency in government to have accountability in government. The Senate should not allow its controls on classified material to be manipulated to hide embarrassing material from public scrutiny, even when that material is unclassified.

The FBI ought to do what it should have done from the very beginning: release all the unclassified information to the public.

When Director Comey told me that he was going to bring these binders to the Hill and cooperate with Congress, giving us this information, I raised this very question with him in that telephone conversation.

Now more than ever, the public has a right to know the whole picture and all the facts gathered by the FBI. Let the people see all of the evidence, and let the people judge for themselves. That would be true transparency.

As a constitutionally elected official, I have an obligation to my constituents to represent them, be honest with them, assist them to the best of my abilities, and to make sure that what is the public's business actually is public. I cannot in good conscience do that when the FBI attempts to assert a vise grip on unclassified information that would be helpful in answering the calls and letters from my constituents. How can I look Americans in the eye and tell them that I have answers but can't share those answers because the FBI says so, even though the answers come from unclassified information?

So to my fellow Americans but most importantly to my colleagues here in the Senate, in times like these, I cannot help but think about a quote from Thomas Jefferson: ''It is the people, to whom all authority belongs.'' It is the Federal Government that works for us; we do not work for the Federal Government. Facts and information gathered by public officials that are relevant to the debate over a public controversy belong to the public. I urge my colleagues to discuss and resolve this issue together.

I will continue to do everything in my power to ensure that the full set of facts is brought to light.

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

[From The Boston Globe, Sept. 6, 2016]

HOUSE REPUBLICANS SEEK INQUIRY ON WHETHER CLINTON OBSTRUCTED JUSTICE OVER E-MAILS

(By Michael S. Schmidt)

WASHINGTON.—House Republicans asked the Justice Department on Tuesday to investigate whether Hillary Clinton, her lawyers, and the company that housed her e-mail account obstructed justice when e-mails were deleted from her personal server.

It was the second time in two months that Republicans urged authorities to open an inquiry related to Clinton.

Representative Jason Chaffetz of Utah, chairman of the House Oversight and Government Reform Committee, said the e-mails should not have been deleted because there were orders in place at the time from two congressional committees to preserve messages on the account.

''The department should investigate and determine whether Secretary Clinton or her employees and contractors violated statutes that prohibit destruction of records, obstruction of congressional inquiries, and concealment or coverup of evidence material to a congressional investigation,'' Chaffetz said in a letter to the US attorney's office for the District of Columbia.

Chaffetz also sent a letter to the Denver-based company that housed the account, Platte River Networks, with a request for documents and information related to the account and the deletions.

Since FBI Director James B. Comey announced July 5 that the bureau would recommend that Clinton not be charged in connection with her use of the account, Republicans have pushed the Justice Department to continue investigating her.

Just five days after Comey's announcement, they asked the department to open an inquiry into whether Clinton had lied in October when she testified before the committee investigating the 2012 attacks in Benghazi, Libya.

Clinton dismissed Chaffetz's request when asked about it by reporters on her campaign plane in Tampa, Fla. ''The FBI resolved all of this,'' she said. ''Their report answered all the questions; the findings included debunking the latest conspiracy theories.''

Representative Elijah E. Cummings, the top Democrat on the Oversight and Government Reform Committee, said the request for another investigation was ''just the latest misguided attempt to use taxpayer funds to help the Republican nominee, Donald Trump, and to essentially redo what the FBI has already investigated because Republicans disagree with the outcome for political reasons.''

The Republicans' request has been met with silence from the Justice Department and the FBI, and prosecutors have shown no indication that they are willing to open another investigation. Legal analysts have said making a perjury case against Clinton would be hard.

The FBI released 58 pages of investigative documents Friday related to its inquiry into Clinton's e-mail practices and whether she and her aides mishandled classified information. The documents included a summary of an interview agents conducted with her and a memorandum about the case.

According to the documents, a top aide to Clinton told Platte River Networks in December 2014 to delete an archive of e-mails from her account. But Platte River apparently never followed those instructions.

Roughly three weeks after the existence of the account was revealed in March 2015, a Platte River employee deleted e-mails using a program called BleachBit. By that time, both Chaffetz's committee and the special committee investigating the Benghazi attacks had called for the e-mails to be preserved, according to Chaffetz.

''This timeline of events raises questions as to whether the PRN engineer violated federal statutes that prohibit destruction of evidence and obstruction of a congressional investigation, among others, when the engineer erased Secretary Clinton's e-mail contrary to congressional preservation orders and a subpoena,'' Chaffetz said in the letter to Platte River.

Chaffetz said a series of events in the days leading up to the deletions, including a conference call with Clinton's lawyers and the creation of a work ticket, ''raises questions about whether Secretary Clinton, acting through her attorneys, instructed PRN to destroy records relevant to the then-ongoing congressional investigations.''

Democrats said Chaffetz's facts were wrong. The FBI's memo shows that the Platte River employee who deleted the documents ''did so on his own volition and before the conference call with Clinton's attorneys,'' said Jennifer Werner, a Cummings spokeswoman.

The FBI said it was later able to find some of the e-mails, but it did not say how many had been deleted or whether they were included in the 60,000 e-mails that Clinton said she had sent and received as secretary of state from 2009 to 2013.

[From The New York Times, Sept. 8, 2016]

JUSTICE DEPT. GRANTED IMMUNITY TO SPECIALIST WHO DELETED HILLARY CLINTON'S EMAILS

(By Adam Goldman and Michael S. Schmidt)

WASHINGTON.—A computer specialist who deleted Hillary Clinton's emails despite orders from Congress to preserve them was given immunity by the Justice Department during its investigation into her personal email account, according to a law enforcement official and others briefed on the investigation.

Republicans have called for the department to investigate the deletions, but the immunity deal with the specialist, Paul Combetta, makes it unlikely that the request will go far. Representative Jason Chaffetz of Utah, the top Republican on the House oversight committee, asked the Justice Department on Tuesday to investigate whether Mrs. Clinton, her lawyers or the specialist obstructed justice when the emails were deleted in March 2015.

Mr. Combetta is one of at least two people who were given immunity by the Justice Department as part of the investigation. The other was Bryan Pagliano, a former campaign staff member for Mrs. Clinton's 2008 presidential campaign, who was granted immunity in exchange for answering questions about how he set up a server in Mrs. Clinton's home in Chappaqua, N.Y., around the time she became secretary of state in 2009.

The F.B.I. described the deletions by Mr. Combetta in a summary of its investigation into Mrs. Clinton's account that was released last Friday. The documents blacked out the specialist's name, but the law enforcement official and others familiar with the case identified the employee as Mr. Combetta. They spoke on the condition of anonymity because they did not want to be identified discussing matters that were supposed to remain confidential.

Brian Fallon, a spokesman for Mrs. Clinton's presidential campaign, said that the deletions by the specialist, who worked for a Colorado company called Platte River Networks, had already been ''thoroughly examined by the F.B.I. prior to its decision to close out this case.''

''As the F.B.I.'s report notes,'' Mr. Fallon said, ''neither Hillary Clinton nor her attorneys had knowledge of the Platte River Network employee's actions. It appears he acted on his own and against guidance given by both Clinton's and Platte River's attorneys to retain all data in compliance with a congressional preservation request.''

A lawyer for Mr. Combetta and a spokesman for the Justice Department declined to comment.

In July, the F.B.I. director, James B. Comey, announced that the bureau would

not recommend that Mrs. Clinton and her aides be charged with a crime for their handling of classified information on the account.

Five days later, Mr. Chaffetz—who has led the charge in raising questions about the F.B.I.'s decision—asked prosecutors to investigate whether Mrs. Clinton had lied to Congress about her email account in testimony in October before the special committee investigating the 2012 attacks in Benghazi, Libya. That request has been met with silence from the Justice Department.

The House oversight committee has asked officials from Platte River Networks, Mr. Combetta and others to appear at a hearing before his committee on Tuesday about how the email account was set up and how the messages were deleted.

According to the F.B.I. documents, Mr. Combetta told the bureau in February that he did not recall deleting the emails. But in May, he told a different story.

In the days after Mrs. Clinton's staffers called Platte River Networks in March 2015, Mr. Combetta said realized that he had not followed a December 2014 order from Mrs. Clinton's lawyers to have the emails deleted. Mr. Combetta then used a program called BleachBit to delete the messages, the bureau said.

In Mr. Combetta's first interview with the F.B.I. in February, he said he did not recall seeing the preservation order from the Benghazi committee, which Mrs. Clinton's lawyer, Cheryl D. Mills, had sent to Platte River. But in his May interview, he said that at the time he made the deletions ''he was aware of the existence of the preservation request and the fact that it meant he should not disturb Clinton's email data'' on the Platte River server.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized for such time as I may consume.

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

Mr. INHOFE. Mr. President, we are going to have a vote here shortly, and it is going to be one of the major, significant votes.

First of all, I know the occupier of the Chair is very aware of the things we have been doing in the committee called Environment and Public Works. Most of the stuff we have been doing is very meaningful, including the highway bill, the chemical bill, and now the WRDA bill. These are all things that have to be done.

Last week I talked about the WRDA bill and why it is important to pass it now. Just to take a look at some of the major news stories from the past few months, earlier this summer we saw algae wash up on the beaches of Florida. This is a problem that will have significant impact on the health of Floridians, as well as negatively impacting Florida's biggest industry—tourism.

The WRDA bill 2016 has a solution to the problem. We have a project that will fix Lake Okeechobee to prevent this problem in the future.

I know a little bit about this because a lot of people are not aware that in my State of Oklahoma we have more miles of freshwater shoreline than any of the 50 States. That is because most of them are manmade lakes. They have a dam down here with lots of shoreline going around them, but, nonetheless, I had a personal experience with what they call blue-green algae. You think you are on your deathbed when you are there.

This chart behind me shows a plume in St. Lucie, FL. It is a picture of an algae plume caused by deteriorating water conditions. Not only are these plumes environmentally hazardous, but they also are economically debilitating to communities living along South Florida's working coastline. Communities along the coast depend on clean, freshwater flows to drive tourism.

Just weeks ago, we saw historic flooding in Baton Rouge, LA, and we have seen communities destroyed and lives turned upside down. In this WRDA bill, there are two ongoing Corps projects that will prevent the damages we saw. WRDA 2016 directs the Corps to expedite the completion of these projects.

The second chart shows the flooding in Baton Rouge, LA. We can no longer use a fix-as-it-fails approach as it concerns America's flood control. There is just too much on the line. We are not just talking about economic loss but devastating floods. We have all seen that, experienced that, and we are talking about loss of human life. So this is not an option.

Last year there were several collisions in the Houston Ship Channel. Due to a design deficiency, the channel is too narrow and the Coast Guard has declared it to be a precautionary zone. The Houston Ship Channel collision in 2015 was a serious one, and without this bill, the navigation safety project to correct this problem will not move forward.

Last week I spoke about what we will lose if we don't pass this important legislation. There are 29 navigation flood control and environmental restoration projects that will not happen. There will be no new Corps reforms to let local sponsors improve infrastructure at their own expense. I am talking about this for a minute because this is significant. They are willing to spend their own money and yet it is not legal for them to do. We correct that.

There will be no FEMA assistance to States to rehabilitate unsafe dams.

There will be no reforms to help communities address clean water and safe drinking water infrastructure mandates. This is something that those of us from rural States—in my State of Oklahoma, we have a lot of small communities, and there is nothing that horrifies them more when they have an unfunded mandate. They say we are going to have to treat the water and it is going to cost $14 million. They don't have any access to that kind of money. I suggested last week that there are a lot of similar problems. So this goes a long way to correcting these unfunded mandates. When I was mayor of Tulsa, the biggest problem we had was unfunded mandates.

Without this bill, there will be no new assistance for innovative approaches to clean water and drinking water needs, and there will be no protection for coal utilities from runaway coal ash lawsuits. We will be addressing this and recognizing that there is a great value to coal ash if properly used.

These are not State problems or even regional problems, but what we have is a bill that addresses problems faced by our Nation as a whole.

To reiterate how important this bill is, I want to give a few more real examples to show how the problems we are facing now are affecting our citizens, the people who sent us here, and in Washington, this is what we are supposed to be doing.

The water resources of this bill expand our economy and protect infrastructure and lives by authorizing new navigation, flood control, and ecosystem restoration projects, all based on a recommendation from the Corps of Engineers and a determination that the projects will provide significant national benefits.

The Corps has built 14,700 miles of levees that protect billions of dollars' worth of infrastructure and homes. These are referred to as high-hazard dams or high-hazard levees, and that definition means that if something happens to one, people will die. It is not saying people will be hurt; people are going to die. We have many examples of that so the Corps projects nearly $50 billion a year in damages. Many of these levees were built a long time ago and some have failed just recently.

Chart 4 is the Iowa River levee breach. If that doesn't tell the story, the significance of this—this is a levee in Iowa that was overtopped and eventually breached by disastrous floodwaters. In many cases, levees like this one were constructed by the Army Corps of Engineers decades ago but no longer meet the Corps' post-Katrina engineering and design guidelines. WRDA 2016 will end the bureaucratic nightmare local levee districts face by allowing them to increase the level of flood protection most of the time at their own expense when the Corps is rebuilding after a flood—something they can't do now.

Let's look at the economic benefits of investing in our Nation's port and inland waterway system. We need to invest in our ports and inland waterway system to keep the cost of goods low. If we don't do that, costs will go up, and of course we want to keep creating good-paying jobs.

WRDA 2016 has a number of provisions that will ensure we grow the economy, increase our competitiveness

in the global marketplace, and promote long-term prosperity. These provisions include important harbor-deepening projects, such as those in Charleston, SC; Port Everglades, FL; and Brownsville, TX.

Take Charleston as an example. They have a 45-foot harbor. Now that they have expanded the Panama Canal and we have the boats called Panamax vessels going through—those are the great big vessels, and this poster gives you an idea of what can be carried on those. The problem with the Panamax vessels is that they take up 50 to 51 feet in the harbor. What happens to Charleston, SC, if they have the big vessels coming through the Panama Canal, coming up to come into our harbors in the United States, they have to instead go into one of the harbors in the Caribbean and divide up the containers. It is very expensive. That is just one of several of the harbors we are working on.

Everyone knows the Corps' maintenance budget is stretched thin, but WRDA 2016 comes up with a solution. This is a solution that we have in the bill we will be voting on, and we will have the major vote tonight. In the WRDA bill, we will let local sponsors, such as ports, either give money to the Corps to carry out the maintenance or get in and start maintaining using their own dollars. That is something you would think they could do now, but they can't. That is in this bill. That was the major thing the ports were pushing for in this bill.

What about in communities? I mentioned that in my State of Oklahoma, we have a lot of rural towns that don't really have the resources to do a lot of these things in the form of mandates. The bill provides Federal assistance to communities facing unaffordable EPA safe water and clean water mandates. WRDA 2016 targets these Federal dollars to those who need it the most. I know that years ago when I was the mayor of Tulsa, that was the biggest concern we had, and it is even more of a concern in these small communities. So we do it by having assistance for smaller, disadvantaged communities, with priority for underserved communities that lack basic water infrastructure; assistance for lead service line replacement, with a priority for disadvantaged communities; and assistance to address the very costly sewer overflow system.

It is worth noting that all the money in this bill is either subject to the Budget Control Act caps that govern the annual appropriations bills or is fully offset.

This is an introduction to economics. By passing this legislation and securing the appropriate funding, we can improve economic opportunities for all Americans. This is a critical moment. We must get back to regular order, passing WRDA every 2 years. We went through a period in 2007—we didn't have a WRDA bill following that until 2014. The year 2014 was the last time we did it. We decided then that if we are supposed to do it every 2 years, then starting in 2014, we are going to do it. The best evidence of that is that we are going to do it tonight.

So we will have a 2016 budget. Doing this will help us modernize the water transportation infrastructure through flood protection and environmental restoration around the country. The process we follow in this is very open. I think one of the reasons we have been successful in our committee doing the Transportation bill, the chemical bill, and now this bill, is because everybody knows what is going on and they have time to determine what is the best thing for their State.

Way back on December 9, we sent this bill from the committee to all Members of the Senate saying: We are going to do the WRDA bill, so go ahead and start working on amendments. They did that, and then, of course, for the last few weeks, we have been talking about getting amendments down to the floor, and we have done that. We brought a substitute amendment that was a result of that work to the full Senate on September 8. That amendment included over 40 provisions that were added after the committee markup.

Finally, last week I came to the floor and let all of you know that Senator BOXER and I needed to see your amendments by noon on Friday for the managers' package. By noon on Friday, we had amendments in. We considered some 35 provisions, and we have addressed most of these—I think to some degree all of them. Now those provisions are in the Inhofe-Boxer amendment that we filed today and hope to get consent to adopt shortly after the cloture vote tonight.

This has been a very open and collegial process, and all Members have had their concerns and priorities heard. We have done our best to address Members' priorities. After cloture this evening, we will continue to do our best to clear germane amendments until final passage this week.

I am very excited that we are going to be able to get this done. A lot of people sit back and say that nothing ever gets done in Washington. I have to say that in our committee we get things done, and we are going to get this done tonight.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative 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.

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 Senate amendment No. 4979.

Mitch McConnell, James M. Inhofe, John Cornyn, Orrin G. Hatch, Shelley Moore Capito, Thom Tillis, Dan Sullivan, Mike Rounds, Marco Rubio, Cory Gardner, Dean Heller, Pat Roberts, David Vitter, Roy Blunt, John Barrasso, Roger F. Wicker, Steve Daines.

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 amendment No. 4979, offered by the Senator from Kentucky, Mr. MCCONNELL, to S. 2848, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Indiana (Mr. COATS), the Senator from Arizona (Mr. FLAKE), the Senator from South Carolina (Mr. GRAHAM), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Georgia (Mr. PERDUE), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Pennsylvania (Mr. TOOMEY) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from Virginia (Mr. KAINE), the Senator from Nevada (Mr. REID), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. KAINE) would vote ''yea.''

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 90, nays 1, as follows:

[Rollcall Vote No. 138 Leg.]

YEAS—90

Alexander	Ernst	Murphy
Ayotte	Feinstein	Murray
Baldwin	Fischer	Nelson
Barrasso	Franken	Paul
Bennet	Gardner	Peters
Blumenthal	Gillibrand	Portman
Blunt	Grassley	Reed
Booker	Hatch	Risch
Boozman	Heinrich	Roberts
Boxer	Heitkamp	Rounds
Brown	Heller	Rubio
Burr	Hirono	Sasse
Cantwell	Hoeven	Schatz
Capito	Inhofe	Schumer
Cardin	Isakson	Scott
Carper	Johnson	Sessions
Casey	King	Shaheen
Cassidy	Kirk	Shelby
Cochran	Klobuchar	Stabenow
Collins	Lankford	Sullivan
Coons	Leahy	Tester
Corker	Manchin	Thune
Cornyn	Markey	Tillis
Cotton	McCain	Udall
Crapo	McCaskill	Vitter
Cruz	McConnell	Warner
Daines	Menendez	Warren
Donnelly	Merkley	Whitehouse
Durbin	Mikulski	Wicker
Enzi	Moran	Wyden

NAYS—1

Lee

NOT VOTING—9

Coats	Murkowski	Toomey
Flake	Perdue	
Graham	Reid	
Kaine	Sanders	

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 90, the nays are 1.

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

The Senator from Wisconsin.

MORNING BUSINESS

Mr. JOHNSON. 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

STAFF SERGEANT MATTHEW VAIL THOMPSON

Mr. JOHNSON. Mr. President, I come to the floor to pay tribute to an American soldier who has given his last full measure of devotion to this Nation and to the noble pursuits of liberty and peace.

Twenty-eight-year-old SSG Matthew Vail Thompson grew up in Brookfield, WI, and was a proud member of the Army Special Forces. Tragically, on August 23, 2016, he became the second American this year to lose his life while on combat duty in Afghanistan.

Staff Sergeant Thompson was truly one of the finest among us. I had the honor of attending a memorial service for Matthew at his family's church in Brookfield, where hundreds of his friends and family members paid their final respects. They loved him, of course, but they also admired him. They told stories of a generous young man, adventurous, and always ready to make friends. His father spoke about and his pastor read us something Matthew wrote 10 years ago, a list of ''all the little things'' that make life sweeter. In effect, 10 rules to live by. It shows striking maturity, especially for a young man still in his teens when he and his best friend wrote the rules.

Now, the rules are actually quite deep, and there is an awful lot written, but I just want to read the 10 rules bullet points and just refer everybody to my Web site for the full rules and all he has written.

1. Never grow up.
2. Learn.
3. Never have any regrets.
4. Live for the moment.
5. Do what you love.
6. Pursue with a passion.
7. Never settle.
8. Always take time to listen and to talk.
9. Keep a positive attitude.
10. I need God and will live for Him.

His father gave an extraordinary eulogy about his son, and he asked the congregation at the very end—he hoped, the congregation would learn from what Matthew had written.

Matthew began college at Marquette University in Milwaukee. In paying tribute to Matthew, one of his fellow resident assistants said: ''He was one of the best humans I ever knew.'' He transferred to Concordia University in California, where he earned a degree in theological studies and met his wife Rachel.

Rachel Thompson says Matthew was reluctant to date at first because of his plans to serve in the military. She said: ''He knew he wanted to go into a really specialized, extremely dangerous job.'' His first thought was to spare her the possible pain.

That danger was real. Staff Sergeant Thompson served as a medic with America's elite forces in hazardous places. He was first deployed to Iraq and then to Afghanistan. The mission he and his unit were on was considered to be ''noncombat''—advising Afghan forces on how to free their country from ongoing attacks by the Taliban, Islamic terrorists who seek to reimpose their oppressive rule. Their mission was noncombat in name only, but Staff Sergeant Thompson and his unit were patrolling ''outside the wire.'' They were exposed to every danger. They were patrolling on foot, looking for improvised explosive devices left by an enemy that seeks to kill indiscriminately. One of those bombs went off, killing six Afghan soldiers, wounding another American soldier, and taking the life of Matthew—a courageous young man who was defending the liberties on which this Nation was founded, liberties our Founders said are the birthright of everyone on Earth.

For 240 years, our service men and women have defended those liberties, and they have paid a very high price. Since the Revolutionary War, more than 42 million men and women have served in our military, and more than 1 million of these heroes have died in that service. Staff Sergeant Matthews' home State has done its part. Since statehood, more than 27,000 of Wisconsin's sons and daughters have died in military service. Every one of us wishes they could have lived in peace, to fulfill their hopes and dreams, to enrich this country in ways we will never know. Every one of us is grateful that when freedom demanded such sacrifice, they stood on guard for America.

A nation's gratitude can scarcely comfort those who loved Matthew Thompson and who suffer his loss. His wife Rachel, his parents Mark and Linda, and his sisters Karen and Robyn—but also his extended family, his friends, and his band of brothers and sisters in the Army. Our hearts go out to them, and I pray they will find consolation and peace in fond memories, in spite of their loss.

But a Nation's gratitude, inadequate as it may be, is what Staff Sergeant Thompson is fully due. Rachel Thompson recounted her last conversation with her husband. Because she knew he was doing dangerous work, she said:

I was crying. I was afraid. And he would just listen and tell me he loved me and that it was going to be OK.

For America it will be OK, as long as men and women of the caliber and spirit of Staff Sergeant Thompson continue to stand on our behalf and in defense of our freedom.

May God bless and comfort Staff Sergeant Thompson's loved ones. May He watch over all those who answer our Nation's call. May God bless America.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NATIONAL POW/MIA RECOGNITION DAY

Mr. CRAPO. Mr. President, in honor of National POW/MIA Day, today I wish to pay tribute to our Nation's servicemembers who have been taken as prisoners of war, POWs, and those missing in action, MIA. I also pray for resolution for the military families who await answers about their loved ones and thank those who work to ensure that all our Nation's veterans are accounted for and their service is not forgotten.

A great source of pride and comfort in being an American is knowing that if we get in harm's way, strong and resourceful Americans stand with us. Unfortunately, 10, 20, 30, 40, 50, 60 and even 70-plus years have passed since some Americans have gone unaccounted for while serving our Nation, and they have yet to be returned home.

The Defense POW/MIA Accounting Agency reports that more than 83,000 Americans remain missing from World War II, the Korean war, the Vietnam war, the Cold War, and the Gulf wars and other conflicts. This includes 333 Idahoans who have not been recovered following World War II and 25 Idahoans who remain unaccounted for who served in the Korean war. Additionally, eight Idahoans went missing while serving in the Vietnam war and remain missing: Capt. Jon K. Bodahl, Capt. Curtis R. Bohlscheid, CPT Gregg N. Hollinger, ENS Hal T. Hollingsworth, SSG William B. Hunt, 1LT William E. Lemmons, LT Roderick L. Mayer, and Warrant Officer Jon M. Sparks. Their names and service must be fixed in our national attention.

My heart hurts for the thousands of military families who have remained in limbo all these years. We can never forget their pain and the enduring service of all our service personnel who have not made it home. We must be resolute in our duty to bring them home. That is part of our responsibility as a nation to those Americans who have answered

the call of duty to defend our country and its interests.

As we pay tribute to POW/MIA families and veterans, we cannot lose sight of the ongoing price they bear for our freedoms and security.

WELCOMING THE MONGOLIAN DELEGATION TO PHILADELPHIA

Mr. CASEY. Mr. President, I wish to welcome the visit of Mongolian President Tsakhiagiin Elbegdorj to Philadelphia on September 23, 2016. This is a truly historic occasion. President Elbegdorj's visit marks the beginning of an important chapter in the relationship between our two countries and between the people of Pennsylvania and the people of Mongolia. Despite the geographic distance between our countries, we have in common the pursuit of a healthy democratic system of governance and of stability and economic prosperity in the region.

I have no doubt that, during his visit, President Elbegdorj will be impressed with the city of Philadelphia, the musical talent of the Philadelphia Orchestra, and the scholarship at the University of Pennsylvania. Philadelphia is a truly global city, and the people of Philadelphia are excellent cultural ambassadors. I am pleased to share with my colleagues that, in 2017, the Philadelphia Orchestra plans to embark on its tour of Asia, which will include an unprecedented visit to Ulaanbaatar, Mongolia.

I want to convey my gratitude and appreciation for the Philadelphia Orchestra, the University of Pennsylvania, and the Philadelphians who are making this important visit possible. I want to express my best wishes to President Elbegdorj, Foreign Minister Tsend Munkh-Orgil, Ambassador Bulgaa Altangerel, and the rest of the delegation for a successful and productive visit to Philadelphia.

REMEMBERING JOE HOSTEEN KELLWOOD

Mr. MCCAIN. Mr. President, today I wish to join the entire State of Arizona in mourning the passage of Joe Hosteen Kellwood this week. Joe, a decorated war hero, father, and grandfather, was a loyal servant and patriot of this country. It is with great respect that I commemorate the passing of this honorable man, who volunteered his life during one of the most trying times for our Nation.

Joe will be remembered as one of the legendary Navajo Code Talkers of World War II, who developed the only Allied code that the enemy was never able to decipher. Using their unique language skills, about 430 Native Americans turned the tide of battle against the Japanese, which military experts estimate shortened the war in the Pacific. Their bravery, resourcefulness, and tenacity in the line of duty remains a testament to their remarkable service.

During World War II, Joe was inspired by the brave acts of servicemen during the Battle of Guadalcanal. He then enlisted in 1942, telling his sister, ''I'm going to war'' to defend his nation. Shortly thereafter, he was selected for the Navajo Talkers' School at Camp Elliot in San Diego where he studied on his own at night and arduously memorized those codes. On his transport ship to Australia, where he would join the 1st Marine Regiment, Joe conducted a Navajo ritual for safe return. Although such rituals were not allowed under military rules, he secretly used a piece of gum mixed with corn pollen he had brought from home and spat the mixture into the ocean as he prayed to the Holy People. His faith gave him the confidence he needed.

Joe received numerous awards and honors including the Congressional Silver Medal, Presidential Unit Citation, Combat Action Ribbon, Naval Unit Commendation, Good Conduct, American Campaign Medal, Asiatic-Pacific Campaign Medal, and WWII Victory Medal for his heroic service.

After returning to the Navajo reservation, Joe returned to his trade as carpenter and lived for over 60 years in his same Sunnyslope home with his loving wife, Andrena, where they watched his 5 sons, 15 grandchildren, and 20 great-grandchildren grow. He served as an inspiration for his fellow Navajo as a speaker at numerous events and sang the ''Marine Corps Hymn'' in his native language. Joe was a proud member of Veterans of Foreign Wars post 9400 and American Legion post 75 for many years.

We owe a debt of gratitude to the sacrifices of selfless patriots like Joe whose remarkable courage and patriotism will be long remembered by his country.

ADDITIONAL STATEMENTS

REMEMBERING GRIFFIN DALIANIS

● Ms. AYOTTE. Mr. President, today I recognize the extraordinary life of a dear friend and champion of veterans' rights, Griffin ''Griff'' Dalianis.

Griff served with the 1st Special Operations Group of the Strategic Air Command in the U.S. Air Force from 1961 to 1965. His service here may have influenced his work later in life—Griff was well known and loved in his community for his tireless work on behalf of his fellow veterans. After his service, Griff Dalianis earned his bachelor's degree in history and psychology from Suffolk University in Boston, followed by a master's degree of education. He then earned a certificate in advanced graduate study in counseling from Northeastern University in 1975 and earned his doctorate of philosophy from California Western University in 1982.

The next several years of Griff's life show a man who was deeply dedicated to serving others. In addition to founding Southern New Hampshire Family Counseling Associates in 1975 and serving as an instructor of psychology at Rivier College in Nashua, Griff became an active and respected member of the Nashua community. He was affiliated with numerous Nashua groups, including the Nashua Rotary Club, the Nashua Youth Council, Nashua Planning Board, and Nashua Chamber of Commerce.

Griff Dalianis's advocacy on behalf of his fellow veterans was unparalleled. In addition to serving as chairman of the State Veterans Advisory Committee, chairman of the U.S. Veterans Administration Committee on Rehabilitation, civilian aide to the Secretary of the Army, and receiving a Distinguished Service Medal, Griff worked with Harbor Homes, an organization in New Hampshire that provides transitional housing for homeless veterans. An apartment house Griff worked to establish with Harbor Homes was named after him. As a result of his efforts, approximately 40 veterans at risk of homelessness now have homes. Griff even had a weekly column in the Nashua Telegraph called ''Ask the Commander.''

Griff leaves behind his wife, New Hampshire Supreme Court Chief Justice Linda Stewart Dalianis, daughters Deborah A. Bischoff and Cynthia E. Godfrey, sons Matthew Dalianis and Benjamin Dalianis, grandchildren Allison Bischoff and Mariah Willis, and many other family members and loved ones. We are all deeply saddened by the loss of such an influential and exemplary member of Nashua's community and dear friend to so many.

Our thoughts and prayers are with Chief Justice Linda Dalianis and her family during this difficult time. Griff's legacy of service and advocacy will live on in Nashua and across New Hampshire, and we are forever grateful that he called our great State home.●

REMEMBERING LIEUTENANT COLONEL EDWARD H. JOSEPHSON

● Ms. AYOTTE. Mr. President, today I wish to recognize the exceptional service and the extraordinary life of a dear friend and champion for veterans, Lt. Col. Edward ''Ed'' H. Josephson, U.S. Air Force retired.

Born in Syracuse, NY, on February 21, 1938, to Edward Josephson and Kathleen Beatrice, the family soon returned to Concord, NH, where Ed grew up. At an early age, he enjoyed hunting and fishing, his paper route, and visiting the New Hampshire Historical Building. Joining the New Hampshire Civil Air Patrol, Ed quickly encourage his love for flying, and during his senior year at Concord High School, he learned of the new U.S. Air Force Academy, which would be accepting candidates for its first graduating class.

Ed wrote a letter to Congressman Perkins Bass and, soon after, received a letter stating he had been nominated

for the U.S. Air Force Academy. Not long after that, he received a telegram from the Air Force Academy saying he had been accepted. In a long and distinguished career flying transport planes for the U.S. Air Force, Ed visited all 50 States, many countries, and all 7 continents.

After his retirement from the U.S. Air Force, Ed joined AVCO, which became Textron Systems Division. Assuming many roles with many jobs and titles for Textron, he worked his way up to become vice president and ombudsman, a title and job he thoroughly enjoyed.

Ed Josephson has been a strong and effective advocate for many New Hampshire veteran organizations, having served with great distinction as the chair of the legislative committee for the New Hampshire State Veterans Advisory Committee, and with the board of directors for the Military Officers Association of New Hampshire. Ed was proud of his work in the U.S. Air Force Academy Association, which was an important part of his life. He believed the values expressed in the Honor Code were the most important, and he lived his life by those values every day.

Lt. Col. Ed Josephson passed away on September 4 with his family at his side. He joins his daughter Karen Baker, who predeceased him on December 22, 2014, and leaves behind his wife, Judy Josephson, of 53 years, son Edward Andrew ''Andy'' Josephson from Charleston, SC, and granddaughter Monica Louise Josephson of Bayreuth, Germany, now living in Bucksport, ME, his brother Michael A. Josephson from Webster, NH, and many others. Our thoughts and prayers are with Judy and the family, but we are confident that they will be comforted in knowing that Ed's legacy of service and advocacy will live on across New Hampshire. We will be forever grateful that he called our great State home.●

TRIBUTE TO KRISTIN ARMSTRONG

● Mr. CRAPO. Mr. President, my colleague Senator JIM RISCH joins me today in congratulating fellow Idahoan Kristin Armstrong on winning the gold medal in cycling at the XXXI Olympic Summer Games in Rio de Janeiro, Brazil.

Kristin Armstrong, of Boise, ID, represented our State and Nation with distinction, winning an unprecedented third straight gold medal in the Olympic cycling individual time trial. This gold is another achievement in her remarkable cycling career. She also took home the gold in the 2012 Olympics in London and the 2008 Olympics in Beijing after competing in the 2004 Olympics in Athens. In addition to her Olympic and many other successes, Kristin has earned two gold, a silver, and a bronze medals in world championship competitions.

Kristin inspires countless others to push beyond the limits of what is thought possible. We join with her husband, Joe; son, Lucas; their many friends and loved ones; and fellow Idahoans and Americans in celebrating the hard work and dedication that paid off in Rio. Congratulations, Kristin, on bringing home the gold yet again. We wish you continued success in all of your future challenges.●

TRIBUTE TO DON BERNARD

● Mr. HELLER. Mr. President, today I wish to congratulate Clark County School District special education teacher Don Bernard on receiving the Heart of Education Award. This award is truly prestigious and attained by only the most influential educators throughout our State.

The Heart of Education Award recognizes educators who have gone above and beyond for their students. The Smith Center for the Performing Arts honored 800 finalists for their exceptional service to our Nation's youth. Of those 800 finalists, 21 educators received special recognition and an outstanding commemorative Heart of Education Award for their dedication. Specifically, Mr. Bernard was recognized for his outstanding work with special education students.

Mr. Bernard began his career as an attorney, working to assist juveniles who struggled within the justice system. In 1997, he moved to Las Vegas and continued his endeavors to aid vulnerable youth as a special needs teacher. For over a decade, Mr. Bernard has been a dedicated Clark County School District educator, and he continues to better the lives of special needs children in and out of the classroom. Southern Nevada is fortunate to have someone of such dedication working on behalf of Nevada's students.

As a father of four children who attended Nevada's public schools and as the husband of a teacher, I understand the important role that educators play in enriching the lives of Nevada's youth. Mr. Bernard has worked tirelessly to help prepare students across southern Nevada to succeed in their academic endeavors, and I am grateful to have him serving as an ally to future generations of Nevadans.

I ask my colleagues and all Nevadans to join me in thanking Mr. Bernard for his dedication to enriching the lives of Nevada's students and congratulating him on receiving this award. I wish him well as he continues creating success for all students who enter the Clark County School District.●

TRIBUTE TO PATRICK AND LAURA MUNSON

● Mr. THUNE. Mr. President, today I wish to recognize Patrick and Laura Munson of Sioux Falls, SD, as my nominees for the 2016 Angels in Adoption Award. Since 1999, the Angels in Adoption Program, through the Congressional Coalition on Adoption Institute, has honored over 2,000 individuals, couples, and organizations nationwide for their work in providing children with loving, stable homes.

Patrick and Laura's adoption story began when Patrick was finishing up his medical residency in Arkansas. Patrick and Laura, along with their three children, Jadon, Will, and David, decided to foster Micah, a boy born premature and coping with special needs.

After hearing the statistics on children in foster homes, Patrick and Laura did not give a second thought; they knew that fostering Micah would give him the best chance to succeed. Soon after, the Munsons adopted Micah.

While the Munson family will tell you that raising a child who has spent time in foster care can sometimes present its challenges, they fully and wholeheartedly embrace their life with Micah.

Each year, awardees from all 50 States, plus the District of Columbia and Puerto Rico, are invited to come together in Washington, DC, to participate in events that celebrate their heroic actions and enable them to use their personal experience to effect change on a national level.

It is important that we recognize families like the Munsons who fulfill the roles of foster and adoptive parents. They open their hearts and homes to children in need of loving families. These families have bestowed a gift onto others in an immeasurable way, and the impact of their love is profound. It brings me great pride to honor Patrick and Laura as my nominees for the 2016 Angels in Adoption Award.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, 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 and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2357. An act to direct the Securities and Exchange Commission to revise Form S–3 so as to add listing and registration of a class of common equity securities on a national securities exchange as an additional basis for satisfying the requirements of General Instruction I.B.1. of such form and to remove such listing and registration as a requirement of General Instruction I.B.6. of such form.

H.R. 5424. An act to amend the Investment Advisers Act of 1940 and to direct the Securities and Exchange Commission to amend its rules to modernize certain requirements relating to investment advisers, and for other purposes.

The message also announced that the House has passed the following bill, without amendment:

S. 2040. An act to deter terrorism, provide justice for victims, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2357. An act to direct the Securities and Exchange Commission to revise Form S–3 so as to add listing and registration of a class of common equity securities on a national securities exchange as an additional basis for satisfying the requirements of General Instruction I.B.1. of such form and to remove such listing and registration as a requirement of General Instruction I.B.6. of such form; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 5424. An act to amend the Investment Advisers Act of 1940 and to direct the Securities and Exchange Commission to amend its rules to modernize certain requirements relating to investment advisers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3839. An act to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, and for other purposes.

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 Mrs. CAPITO (for herself, Mr. TESTER, Mr. BOOZMAN, and Mr. COTTON):

S. 3308. A bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA–PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself, Mr. BROWN, Mr. MURPHY, Ms. KLOBUCHAR, Mrs. BOXER, Mr. WYDEN, Mr. COONS, Mr. SANDERS, Mr. MARKEY, Mr. CARDIN, Mr. MERKLEY, Mr. BLUMENTHAL, and Mr. WHITEHOUSE):

S. 3309. A bill to modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes; to the Committee on Rules and Administration.

By Ms. KLOBUCHAR (for herself and Mr. DAINES):

S. 3310. A bill to establish a grant program to support landscape-scale restoration and management, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SASSE (for himself, Mr. PORTMAN, Mr. COTTON, Mr. MCCAIN, and Mr. VITTER):

S. 3311. A bill to amend the Internal Revenue Code of 1986 to exempt individuals whose health plans under the Consumer Operated and Oriented Plan program have been terminated from the individual mandate penalty; to the Committee on Finance.

By Mr. GARDNER:

S. 3312. A bill to extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978 relating to the disposal site in Mesa County, Colorado; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. Res. 551. A resolution honoring the Maine-Endwell Little League Team of Endwell, New York, for the victory of the team in the 2016 Little League World Series; to the Committee on the Judiciary.

By Mr. COONS (for himself, Mr. CARDIN, Mrs. SHAHEEN, Mrs. BOXER, Mr. MURPHY, Mr. KAINE, and Mr. MENENDEZ):

S. Res. 552. A resolution commemorating the fifteenth anniversary of NATO's invocation of Article V to defend the United States following the terrorist attacks of September 11, 2001; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 311

At the request of Mr. CASEY, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 311, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 804

At the request of Mrs. SHAHEEN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 1212

At the request of Mr. CARDIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1212, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1566

At the request of Mr. KIRK, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1566, a bill to amend the Public Health Service Act to require group and individual health insurance coverage and group health plans to provide for coverage of oral anticancer drugs on terms no less favorable than the coverage provided for anticancer medications administered by a health care provider.

S. 1684

At the request of Mr. KIRK, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1684, a bill to amend the Volunteer Protection Act of 1997 to provide for liability protection for organizations and entities.

S. 1874

At the request of Mr. HATCH, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 1874, a bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 2031

At the request of Mr. BARRASSO, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2031, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 2098

At the request of Mr. MURPHY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2098, a bill to amend the Higher Education Act of 1965 to improve the determination of cohort default rates and provide for enhanced civil penalties, to ensure personal liability of owners, officers, and executives of institutions of higher education, and for other purposes.

S. 2216

At the request of Ms. COLLINS, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2216, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 2531

At the request of Mr. KIRK, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Colorado (Mr. GARDNER) and the Senator from Arkansas (Mr. COTTON) 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. 2572

At the request of Mr. TESTER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2572, a bill to make demonstration grants to eligible local educational agencies or consortia of eligible local educational agencies for the purpose of increasing the numbers of school nurses in public elementary schools and secondary schools.

S. 2598

At the request of Ms. WARREN, the name of the Senator from Rhode Island

(Mr. REED) was added as a cosponsor of S. 2598, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 2645

At the request of Mrs. SHAHEEN, the names of the Senator from Delaware (Mr. CARPER), the Senator from Rhode Island (Mr. REED), the Senator from Michigan (Ms. STABENOW) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 2645, a bill to impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights against lesbian, gay, bisexual, and transgender individuals, and for other purposes.

S. 2697

At the request of Mrs. MURRAY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2697, a bill to amend the Fair Labor Standards Act of 1938 and the Portal-to-Portal Act of 1947 to prevent wage theft and assist in the recovery of stolen wages, to authorize the Secretary of Labor to administer grants to prevent wage and hour violations, and for other purposes.

S. 2711

At the request of Mr. MCCAIN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2711, a bill to expand opportunity for Native American children through additional options in education, and for other purposes.

S. 2763

At the request of Mr. CORNYN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2763, a bill to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis.

S. 2803

At the request of Mr. SASSE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2803, a bill to require the Secretary of Health and Human Services to deposit certain funds into the general fund of the Treasury in accordance with provisions of Federal law with regard to the Patient Protection and Affordable Care Act's Transitional Reinsurance Program.

S. 2869

At the request of Mr. BURR, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2869, a bill to amend the Internal Revenue Code of 1986 to improve college savings under section 529 programs, and for other purposes.

S. 2873

At the request of Mr. HATCH, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2873, a bill to require studies and reports examining the use of, and opportunities to use, technology-enabled collaborative learning and capacity building models to improve programs of the Department of Health and Human Services, and for other purposes.

S. 2932

At the request of Mr. CASSIDY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2932, a bill to amend the Controlled Substances Act with respect to the provision of emergency medical services.

S. 3065

At the request of Mr. WYDEN, the names of the Senator from Delaware (Mr. COONS), the Senator from Connecticut (Mr. MURPHY) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 3065, a bill to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home, to ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings, and for other purposes.

S. 3076

At the request of Mr. COTTON, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3076, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish caskets and urns for burial in cemeteries of States and tribal organizations of veterans without next of kin or sufficient resources to provide for caskets or urns, and for other purposes.

S. 3127

At the request of Mr. HEINRICH, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 3127, a bill to amend title 18, United States Code, to enhance protections of Native American cultural objects, and for other purposes.

S. 3130

At the request of Mr. MARKEY, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 3130, a bill to amend title XVIII of the Social Security Act to provide for a permanent Independence at Home medical practice program under the Medicare program.

S. 3132

At the request of Mrs. FISCHER, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 3132, a bill to direct the Secretary of Veterans Affairs to carry out a pilot program to provide service dogs to certain veterans with severe post-traumatic stress disorder.

S. 3155

At the request of Mr. HATCH, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3155, a bill to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title.

S. 3164

At the request of Mrs. SHAHEEN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 3164, a bill to provide protection for survivors of domestic violence or sexual assault under the Fair Housing Act.

S. 3198

At the request of Mr. HATCH, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 3198, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 3210

At the request of Mr. CARDIN, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 3210, a bill to identify and combat corruption in countries, to establish a tiered system of countries with respect to levels of corruption by their governments and their efforts to combat such corruption, and to assess United States assistance to designated countries in order to advance anti-corruption efforts in those countries and better serve United States taxpayers.

S. 3244

At the request of Mr. ROBERTS, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 3244, a bill to amend title XXVII of the Public Health Service Act to clarify the treatment of pediatric dental coverage in the individual and group markets outside of Exchanges established under the Patient Protection and Affordable Care Act, and for other purposes.

S. 3279

At the request of Ms. KLOBUCHAR, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3279, a bill to realign structures and reallocate resources in the Federal Government in keeping with the core belief that families are the best protection for children and the bedrock of any society to bolster United States diplomacy targeted at ensuring that every child can grow up in a permanent, safe, nurturing, and loving family, and to ensure that intercountry adoption to the United States becomes a viable and fully developed option for providing families for children in need, and for other purposes.

S. 3285

At the request of Mr. RUBIO, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Indiana (Mr. COATS) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 3285, a bill to prohibit the President from using funds appropriated under section 1304 of title 31, United States Code, to make payments to Iran, to impose sanctions with respect to Iranian persons that hold or detain United States citizens, and for other purposes.

S. 3296

At the request of Mr. MCCAIN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor

of S. 3296, a bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

S. 3297

At the request of Mr. COTTON, the names of the Senator from Georgia (Mr. PERDUE), the Senator from North Carolina (Mr. TILLIS), the Senator from Colorado (Mr. GARDNER) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 3297, a bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, and for other purposes.

S. 3298

At the request of Mrs. SHAHEEN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 3298, a bill to amend the Federal Food, Drug, and Cosmetic Act to require the label of any drug containing an opiate to prominently state that addiction is possible.

S. CON. RES. 4

At the request of Mr. BARRASSO, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 199

At the request of Mr. NELSON, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. Res. 199, a resolution expressing the sense of the Senate regarding establishing a National Strategic Agenda.

AMENDMENT NO. 4985

At the request of Ms. KLOBUCHAR, the names of the Senator from Michigan (Mr. PETERS) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of amendment No. 4985 intended to be proposed to S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 4988

At the request of Mr. HOEVEN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of amendment No. 4988 intended to be proposed to S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 4992

At the request of Mr. WYDEN, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Washington (Ms. CANTWELL) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 4992 intended to be proposed to S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 4998

At the request of Mr. KIRK, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of amendment No. 4998 intended to be proposed to S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 551—HONORING THE MAINE-ENDWELL LITTLE LEAGUE TEAM OF ENDWELL, NEW YORK, FOR THE VICTORY OF THE TEAM IN THE 2016 LITTLE LEAGUE WORLD SERIES

Mr. SCHUMER (for himself and Mrs. GILLIBRAND) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 551

Whereas on Saturday, August 27, 2016, the Maine-Endwell Little League Team won the United States championship at the Little League Baseball World Series, defeating a talented and energetic team from Goodlettsville, Tennessee, by 4 to 2;

Whereas on Sunday, August 28, 2016, the Maine-Endwell Little League Team competed against the East Seoul Little League Team of South Korea in the 70th Little League Baseball World Series championship and won 2 to 1, rounding out an amazing undefeated season in which the team won 24 games and lost none;

Whereas the Maine-Endwell Little League Team is the first United States team to win the Little League Baseball World Series title since 2011 and the first team from the State of New York to win the championship since 1964;

Whereas the Maine-Endwell Little League Team showed humility and grace both on and off the diamond, earning the 2016 Jack Losch Little League Baseball World Series Team Sportsmanship Award, and was the first team ever to win the World Series title and the sportsmanship award in the same year;

Whereas the Maine-Endwell Little League Team is comprised of Billy Dundon, Jude Abbadessa, Brody Raleigh, Michael Mancini, Jordan Owens, Conner Rush, Justin Ryan, Jack Hopko, James Fellows, Jayden Fanara, and Ryan Harlost;

Whereas the Maine-Endwell Little League Team is managed and coached by Scott Rush, Joe Mancini, and Joe Hopko, among others; and

Whereas the Maine-Endwell Little League Team has brought tremendous excitement, pride, and honor to the Southern Tier of New York, the State of New York, and the United States: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates and honors the Maine-Endwell Little League Team and their fans on the victory of the team at the 70th Little League Baseball World Series championship;

(2) recognizes and commends the hard work, dedication, determination, and commitment to excellence of the members, parents, families, coaches, and managers of the Maine-Endwell Little League Team; and

(3) recognizes and commends the people of the Town of Union, Broome County, and the Southern Tier of New York for their incredible dedication, loyalty, and support for the Maine-Endwell Little League Team throughout the season.

SENATE RESOLUTION 552—COMMEMORATING THE FIFTEENTH ANNIVERSARY OF NATO'S INVOCATION OF ARTICLE V TO DEFEND THE UNITED STATES FOLLOWING THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001

Mr. COONS (for himself, Mr. CARDIN, Mrs. SHAHEEN, Mrs. BOXER, Mr. MURPHY, Mr. KAINE, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 552

Whereas the North Atlantic Treaty Organization (NATO), the world's most effective, strongest international political-military alliance, was established in 1949 by the North Atlantic Treaty;

Whereas the principle of collective defense, whereby NATO member states agree to mutual defense in response to an attack by an external party, is at the very heart of NATO's founding treaty;

Whereas NATO's commitment to collective defense is enshrined in Article V of the North Atlantic Treaty, which states that ''an armed attack against one'' NATO member ''shall be considered an attack against them all'';

Whereas, on September 11, 2001, the United States was attacked by the al Qaeda terrorist network, headed by Osama bin Laden and protected by the Taliban regime in Afghanistan;

Whereas, on September 12, 2001, less than 24 hours after the attacks, NATO invoked Article V for the first time in history;

Whereas, in October 2001, NATO launched its first ever counterterrorism operation, Operation Active Endeavor, to support the United States and safeguard all allies;

Whereas, from October 2001 to May 2002, as part of Operation Active Endeavor, NATO deployed seven NATO Airborne Warning And Control System (AWACS) Surveillance aircraft to help patrol the skies over the United States;

Whereas 830 crew members from 13 NATO countries flew more than 360 sorties to support Operation Eagle Assist to protect the United States from further attack;

Whereas NATO activities under Operation Active Endeavor also included NATO ships patrolling the Mediterranean and monitoring shipping to help deter, defend, disrupt, and protect against terrorist activity;

Whereas, from 2003 until 2014, NATO commanded the International Security Assistance Force (ISAF) in Afghanistan, tasked with conducting security operations throughout the country and helping to build the Afghan National Defense and Security Forces;

Whereas ISAF was the longest, largest, and most challenging combat mission in NATO's

history and at its height comprised more than 130,000 troops from 51 NATO and partner countries, including at least 40,000 from countries other than the United States;

Whereas at least 3,519 NATO troops, including 2,383 United States troops and more than 1,000 from NATO allies and partners, have died fighting in Afghanistan;

Whereas, in January 2015, in a sign of continued solidarity, NATO launched a new mission in Afghanistan, Operation Resolute Support, to advise and assist Afghan security forces;

Whereas, as of June 2016, approximately 12,000 NATO personnel were contributing to the Resolute Support Mission, 7,000 of whom are from the United States;

Whereas, on July 8 and 9, 2016, Heads of State and Government of the 28 NATO allies met in Warsaw, Poland to ''ensure that the Alliance remains an unparalleled community of freedom, peace, security, and shared values, including individual liberty, human rights, democracy, and the rule of law'';

Whereas leaders at the Warsaw Summit decided to—

(1) strengthen the Alliance's military presence in Eastern Europe with four battalions in Poland, Estonia, Latvia, and Lithuania on a rotational basis starting in 2017;

(2) develop a tailored forward presence in southeastern Europe;

(3) strengthen cyber defenses;

(4) train and build capacity inside Iraq in support of the global coalition to defeat the so-called Islamic State, including by providing a NATO AWACS Surveillance plane and to expand maritime presence in the Mediterranean Sea;

(5) continue contributions to NATO's Resolute Support Mission in Afghanistan beyond 2016 and confirm funding commitments to 2020;

(6) welcome Ukraine's plans for reform and endorse a Comprehensive Assistance Package for Ukraine;

(7) welcome the vital progress made in implementing the Substantial NATO-Georgia Package and activating the Joint Training and Evaluation Center to strengthen Georgia's self-defense and resilience capabilities; and

(8) reiterate support for the territorial integrity and sovereignty of both Ukraine and Georgia within their internationally recognized borders;

Whereas the NATO alliance has served the interests of the United States and its transatlantic allies for more than seven decades;

Whereas, on April 6, 2016, NATO Secretary General Jens Stoltenberg stated, ''NATO is a powerful tool in which all our nations have made great investments. For almost seventy years, NATO has brought Europe and North America together. Providing security for both sides of the Atlantic. I know that I can count on the continued leadership of the United States. I also know that the mutual interests of Europe and the United States are best served by a strong North Atlantic Alliance. Because the security of Europe and North America is indivisible. And only by standing together will we remain safe and secure.''; and

Whereas, on July 9, 2016, following the Warsaw Summit, President Barack Obama stated, ''NATO is as strong, as nimble, and as ready as ever. . . Nobody should ever doubt the resolve of this Alliance to stay united and focused on the future. And just as our nations have stood together over the past hundred years, I know that we'll stay united and grow even stronger for another hundred more.'': Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the fifteenth anniversary of NATO's invocation of Article V to defend the United States after the terrorist attacks of September 11, 2001;

(2) commends the contributions of our NATO allies and partners in our common fight against terrorism and in pursuit of international security;

(3) honors those men and women who have died for the cause of common defense of the North Atlantic Treaty allies;

(4) recommits the United States to the North Atlantic Treaty, especially to common defense of Treaty allies, and affirms that the United States remains fully prepared, capable, and willing to honor its commitments under Article V;

(5) encourages all NATO allies to continue their valuable contributions to the Alliance, including by investing at least two percent of gross domestic product in national defense spending;

(6) commends the NATO Alliance for decisions taken at the July 2016 Warsaw Summit and the President for investing in the European Reassurance Initiative to enhance deterrence and project international stability beyond NATO; and

(7) reaffirms the commitment of the United States to deterring those who seek to destabilize the Euro-Atlantic area, and to maintaining an ''Open Door'' policy on welcoming new members, and welcomes the Alliance's invitation to Montenegro.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5008. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table.

SA 5009. Mr. INHOFE (for Mr. PERDUE (for himself and Mr. ISAKSON)) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5010. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5011. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5012. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5013. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5014. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5015. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5016. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5017. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5018. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5019. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5020. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5021. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5022. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5023. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5024. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5025. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5026. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5027. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5028. Mr. GARDNER (for himself, Mr. UDALL, Mr. BENNET, Mr. HATCH, Mr. HEINRICH, and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5029. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5030. Mr. CASSIDY submitted an amendment intended to be proposed by him

to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5031. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5032. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5033. Mr. COCHRAN (for himself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5034. Mr. COCHRAN (for himself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5035. Mr. ISAKSON (for himself and Mr. PERDUE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5036. Mr. ISAKSON (for himself and Mr. PERDUE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5037. Mr. MCCAIN (for himself, Mr. CORNYN, Mr. COTTON, Mr. SESSIONS, Mr. BURR, and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5038. Mrs. CAPITO submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5039. Mrs. ERNST (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5040. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5041. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5042. Mr. INHOFE (for himself and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5043. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5044. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5045. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5046. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5047. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5048. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5049. Mr. BOOKER (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5050. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5051. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5052. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5053. Mr. REID (for Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5054. Mr. REID (for Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5055. Mr. REID submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5056. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5057. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5058. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5059. Mr. SASSE (for himself, Mr. COTTON, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5060. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 5008. Mr. DONNELLY submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 233, strike lines 13 through 17 and insert the following:

''(1) $500,000,000 for fiscal year 2017;
''(2) $600,000,000 for fiscal year 2018;
''(3) $700,000,000 for fiscal year 2019;
''(4) $800,000,000 for fiscal year 2020; and
''(5) $1,000,000,000 for fiscal year 2021.

SA 5009. Mr. INHOFE (for Mr. PERDUE (for himself and Mr. ISAKSON)) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8_____. WETLAND DELINEATIONS.

Notwithstanding any other provision of law, the Secretary may not reevaluate or revise any jurisdictional determination for wetland delineations for the Atlantic and Gulf Coast region that was valid as of January 1, 2008, or that has an effective approval date of January 1, 2008, through December 31, 2014.

SA 5010. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 270, strike line 18 and all that follows through page 272, line 2, and insert the following:

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 8 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended—

(1) in the first sentence of subsection (a)—

(A) by striking ''$5,000,000'' and inserting ''$8,000,000''; and

(B) by striking ''2013'' and inserting ''2021''; and

(2) in subsection (b), by striking ''for each of fiscal years 2012 through 2013'' and inserting ''for each of fiscal years 2017 through 2021''.

(c) CONSULTATION.—Section 9 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law

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SA 5011. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 7307(a), strike ''Administrator, in conjunction with the Secretary of the Interior,'' and insert ''Secretary of the Interior, in conjunction with''.

SA 5012. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 5001, add the following:

(i) PROJECT DEAUTHORIZATIONS.—Section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)) is amended—

(1) in the first sentence, by striking ''every year after the transmittal of the list under paragraph (1)'' and inserting ''not later than October 1 of each fiscal year''; and

(2) by adding at the end the following: ''If the Secretary fails to submit to Congress the list of projects by October 1 of any fiscal year, no Federal funds made available to the Secretary for the fiscal year shall be expended for nonessential travel expenses of employees of the Corps of Engineers, as determined by the Secretary, until the date on which the list is submitted to Congress in accordance with this paragraph.''.

SA 5013. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2011 (relating to harbor deepening).

SA 5014. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IX—LOW PRIORITY STUDIES AND CONSTRUCTION FUNDING

SEC. 9001. LOW PRIORITY STUDIES AND CONSTRUCTION FUNDING.

Notwithstanding any other provision of this Act, in accordance with the budget of the President for fiscal year 2017, the Secretary may use for low priority studies and construction of Corps of Engineers projects during fiscal year 2017 an amount not more than $1,175,000,000.

SA 5015. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

SEC. 60___. CONSTRUCTION OF NEW WATER RESOURCES PROJECTS.

(a) IN GENERAL.—Section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following:

''(f) RECOMMENDATIONS.—

''(1) IN GENERAL.—As part of the report under subsection (a), the Secretary shall include a list of projects based on the satisfaction of the criteria under paragraph (2).

''(2) CRITERIA.—A project under this subsection shall be a project for which—

''(A) a feasibility study or major decision document has been prepared—

''(i) after the date of enactment of the Water Resources Development Act of 2016; and

''(ii) prior to the date on which the report under subsection (a) is submitted to Congress; and

''(B) a report of the Chief of Engineers has been completed prior to the date on which the report under subsection (a) is submitted to Congress that determines that the project—

''(i) is in the national interest;

''(ii) results in a benefit to cost ratio of not less than 2 to 1, exclusive of any environmental restoration activities;

''(iii) complies with applicable Federal environmental law (including regulations); and

''(iv) is technically feasible.

''(3) CERTAIN PROJECTS.—The list under paragraph (1) shall also include a list of projects that, in the aggregate, have a cost of greater than twice the average amount of funds appropriated for construction for the Corps of Engineers for the previous 3 fiscal years.''.

(b) CONFORMING AMENDMENT.—Subsection (a)(2)(A) of section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232) (as amended by section 1020(3)) is amended by striking ''section 7001(f)'' and inserting ''section 7001(g)''.

SA 5016. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

SEC. 60___. CONSTRUCTION OF NEW WATER RESOURCES PROJECTS.

(a) IN GENERAL.—Notwithstanding any other provision of law and subject to subsections (b) and (c), once every 2-year congressional period, the Secretary may submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that identifies not more than 9 new water resources project that the Secretary recommends for construction.

(b) CRITERIA.—The Secretary shall only recommend a project in the report under subsection (a) if—

(1) a feasibility study or major decision document has been prepared for the project—

(A) after the date of enactment of this Act; and

(B) prior to the date on which the report under subsection (a) is submitted to Congress; and

(2) a report of the Chief of Engineers has been completed for the project prior to the date on which the report under subsection (a) is submitted to Congress that determines that the project—

(A) is in the national interest;

(B) results in a benefit to cost ratio of not less than 2 to 1, exclusive of any environmental restoration activities;

(C) complies with applicable Federal environmental law (including regulations); and

(D) is technically feasible.

(c) LIMITATIONS.—The Secretary shall not include in the report under subsection (a)—

(1) more than 2 new construction projects that are located in any 1 division of the Corps of Engineers;

(2) any project that is the result of 2 or more combined construction projects; or

(3) any project for which a feasibility study or major decision document was completed more than 10 years prior to date on which the report under subsection (a) is submitted.

(d) CONTENTS OF REPORT.—The report under subsection (a) shall—

(1) for each project, explain the methodology used by the Secretary to determine that the project meets the criteria under subsection (b); and

(2) for each division of the Corps of Engineers, explain the methodology and criteria used by the Secretary in selecting the 1 or more projects from that division for inclusion in the report over other projects in the

division that meet the criteria under subsection (b).

(e) PUBLIC PARTICIPATION.—The report under subsection (a) shall be made available to the public, including on the Internet.

(f) ADMINISTRATION.—The Secretary shall not be authorized to carry out any project included in the report under subsection (a) unless the project is explicitly authorized by an Act of Congress during the 2-year period described in subsection (a).

(g) EXEMPTIONS.—This section shall not apply to any water resources construction project that is authorized under a provision designated as an emergency requirement pursuant to 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

SA 5017. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 5001, add the following:

(i) PROJECT DEAUTHORIZATIONS.—Section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)) is amended, in the first sentence—

(1) by inserting ''(including environmental infrastructure projects)'' after ''list of projects''; and

(2) by striking ''such list'' and inserting ''the list, or, in the case of environmental infrastructure projects, during the 3 full fiscal years preceding the transmittal of the list''.

SA 5018. Mr. INHOFE (for Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4_____. PROHIBITION ON USE OF FEDERAL FUNDS FOR BEACH NOURISHMENT ACTIVITIES.

Notwithstanding any other provision of law, the Secretary or the Administrator of the Environmental Protection Agency shall not use Federal funds for the conduct of beach nourishment activities (other than for the conduct of beach nourishment activities in areas with a high risk of flooding in which the Secretary or the Administrator of the Environmental Protection Agency determines beach nourishment activities to be necessary).

SA 5019. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 207, strike lines 1 through 10 and insert the following:

''(4) COST SHARING.—The non-Federal share of the total cost of a project funded by a grant under this subsection shall be not less than 20 percent.

SA 5020. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 202, strike lines 7 through 14 and insert the following:

''(h) AUTHORIZATION OF APPROPRIATIONS.—There

SA 5021. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 80___. PROTECTION OF CONGRESSIONAL OVERSIGHT.

Notwithstanding any other provision of law, the Secretary or the Administrator of the Environmental Protection Agency may not enter into an agreement related to resolving a dispute or claim with an individual that would restrict in any way the individual from speaking to members of Congress or their staff on any topic not otherwise prohibited from disclosure by Federal law.

SA 5022. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1009 and insert the following:

SEC. 1009. PROJECT COMPLETION.

(a) IN GENERAL.—For any project authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835), the authorization of appropriations is increased by the amount, including in increments, necessary to allow completion of the project if—

(1) as of the date of enactment of this Act, the project has received more than $4,000,000 in Federal appropriations and those appropriations equal an amount that is greater than 80 percent of the authorized amount;

(2) significant progress has been demonstrated toward completion of the project or segments of the project but the project is not complete as of the date of enactment of this Act; and

(3) the benefits of the Federal investment will not be realized without an increase in the authorization of appropriations to allow completion of the project.

(b) GAO REVIEW AND REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review, and submit to Congress a report describing the results of the review, on the implementation and effectiveness of the projects carried out under section 219 of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835).

(2) FOCUS OF REVIEW.—The review under paragraph (1) shall focus on the extent to which the projects described in that paragraph—

(A) fall within the mission of the Corps of Engineers;

(B) have been determined to meet an important national priority; and

(C) have experienced cost overruns and the reasons for any cost overruns.

SA 5023. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1007 (relating to a challenge cost-sharing program for management of recreation facilities).

SA 5024. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 10___. MODIFICATION OF CORPS OF ENGINEERS CRITERIA TO DREDGE SMALL PORTS.

(a) MINIMUM TONNAGE REQUIREMENT.—Notwithstanding any other provision of law (including regulations), effective beginning on the date of enactment of this Act, the tonnage requirement with respect to the consideration of dredging of small ports by the Corps of Engineers shall be a minimum of 500,000 tons, as calculated in accordance with subsection (b).

(b) CALCULATION.—For purposes of subsection (a) and any other activity of the Corps of Engineers carried out on or after the date of enactment of this Act, tonnage shall be calculated by each relevant port authority and submitted to the Corps of Engineers.

SA 5025. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1_____. SURPLUS WATER STORAGE.

(a) IN GENERAL.—The Secretary shall not charge a fee for surplus water under a contract entered into pursuant to section 6 of the Act of December 22, 1944 (33 U.S.C. 708) (commonly known as the ''Flood Control Act of 1944'') or the Water Supply Act of 1958 (43 U.S.C. 390b) if the contract is for surplus water stored in the Lake Cumberland Watershed, Kentucky and Tennessee .

(b) OFFSET.—

(1) IN GENERAL.—Subject to paragraph (2), of any amounts made available to the Secretary by title I of division D of the Consolidated Appropriations Act, 2016 (Public Law 114–113; 129 Stat. 2397) to carry out activities under the heading ''OPERATION AND MAINTENANCE'' under the heading ''CORPS OF ENGINEERS—CIVIL'' that remain unobligated as of the date of enactment of this Act, $5,000,000 is rescinded.

(2) RESTRICTION.—No amounts that have been designated by Congress as being for emergency requirements pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)) shall be rescinded under paragraph (1).

(c) TERMINATION.—The limitation under subsection (a) shall expire on the date that is 10 years after the date of enactment of this Act.

(d) APPLICABILITY.—Nothing in this section—

(1) affects the authority of the Secretary under section 2695 of title 10, United States Code, to accept funds or to cover the administrative expenses relating to certain real property transactions;

(2) affects the application of section 6 of the Act of December 22, 1944 (33 U.S.C. 708) (commonly known as the ''Flood Control Act of 1944'') or the Water Supply Act of 1958 (43 U.S.C. 390b) to surplus water stored outside of the Lake Cumberland Watershed, Kentucky and Tennessee; or

(3) affects the authority of the Secretary to accept funds under section 216(c) of the Water Resources Development Act of 1996 (33 U.S.C. 2321a).

SA 5026. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1_____. SURPLUS WATER STORAGE.

(a) IN GENERAL.—The Secretary shall not charge a fee for surplus water under a contract entered into pursuant to section 6 of the Act of December 22, 1944 (33 U.S.C. 708) (commonly known as the ''Flood Control Act of 1944'') if the contract is for surplus water stored in the Lake Cumberland Watershed, Kentucky and Tennessee .

(b) OFFSET.—

(1) IN GENERAL.—Subject to paragraph (2), of any amounts made available to the Secretary by title I of division D of the Consolidated Appropriations Act, 2016 (Public Law 114–113; 129 Stat. 2397) to carry out activities under the heading ''OPERATION AND MAINTENANCE'' under the heading ''CORPS OF ENGINEERS—CIVIL'' that remain unobligated as of the date of enactment of this Act, $5,000,000 is rescinded.

(2) RESTRICTION.—No amounts that have been designated by Congress as being for emergency requirements pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)) shall be rescinded under paragraph (1).

(c) TERMINATION.—The limitation under subsection (a) shall expire on the date that is 10 years after the date of enactment of this Act.

(d) APPLICABILITY.—Nothing in this section—

(1) affects the authority of the Secretary under section 2695 of title 10, United States Code, to accept funds or to cover the administrative expenses relating to certain real property transactions;

(2) affects the application of section 6 of the Act of December 22, 1944 (33 U.S.C. 708) (commonly known as the ''Flood Control Act of 1944'') to surplus water stored outside of the Lake Cumberland Watershed, Kentucky and Tennessee.

SA 5027. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 10___. ENVIRONMENTAL REVIEW OF ENERGY EXPORT FACILITIES.

To the extent that the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) applies to the issuance of a permit for the construction, operation, or maintenance of a facility for the export of bulk commodities (including any permit denied by the Corps of Engineers in a letter dated May 9, 2016), the permit shall not be considered denied until each applicable Federal agency has completed all reviews required for the facility under that Act.

SA 5028. Mr. GARDNER (for himself, Mr. UDALL, Mr. BENNET, Mr. HATCH, Mr. HEINRICH, and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8_____. GOLD KING MINE SPILL RECOVERY.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) CLAIMANT.—The term ''claimant'' means a State, Indian tribe, or any person who submits a claim under subsection (c).

(3) GOLD KING MINE SPILL.—The term ''Gold King Mine spill'' means the discharge on August 5, 2015, of approximately 3,000,000 gallons of contaminated water from the Gold King Mine north of Silverton, Colorado, into Cement Creek that occurred while contractors of the Environmental Protection Agency were conducting an investigation of the Gold King Mine.

(4) NATIONAL CONTINGENCY PLAN.—The term ''National Contingency Plan'' means the National Contingency Plan prepared and published under section 311(d) of the Federal Water Pollution Control Act (33 U.S.C. 1321(d)), as revised pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605).

(5) RESPONSE.—The term ''response'' has the meaning given the term in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

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

(1) the Environmental Protection Agency should be considered liable for all injuries arising out of, or relating to, the Gold King Mine spill;

(2) any injured person, including any State or Indian tribe, may bring a claim under chapter 171 of title 28, United States Code (commonly known as the ''Federal Tort Claims Act'') for any injury arising out of, or relating to, the Gold King Mine spill; and

(3) the Administrator should receive, process, and facilitate payment of claims for injuries arising out of, or relating to, the Gold King Mine spill pursuant to that chapter of that title.

(c) GOLD KING MINE SPILL CLAIMS PURSUANT TO THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT.—

(1) IN GENERAL.—The Administrator shall, consistent with the National Contingency Plan, receive and process under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), and pay from appropriations made available to the Administrator to carry out that Act, any claim for response costs arising out of, or related to, the Gold King Mine spill.

(2) ELIGIBLE COSTS.—Response costs—

(A) are eligible for payment by the Administrator under this subsection without regard to the date on which the response costs are incurred; and

(B) include any response cost incurred by a claimant that is not inconsistent with the National Contingency Plan.

(3) PRESUMPTION.—

(A) IN GENERAL.—The Administrator shall consider response costs claimed under paragraph (1) to be eligible costs, unless the Administrator presents substantial evidence that the response costs are inconsistent with the National Contingency Plan.

(B) APPLICABLE STANDARD.—The Administrator shall make a determination regarding whether a response cost is not inconsistent with the National Contingency Plan based on the same standard that the United States applies in seeking recovery of the response costs of the United States from responsible

parties under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607).

(4) TIMING.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall make a decision on, and pay, any response costs submitted to the Administrator before that date of enactment.

(B) SUBSEQUENTLY FILED COSTS.—Not later than 90 days after the date on which a response cost is submitted to the Administrator, the Administrator shall make a decision on, and pay, any response costs.

(C) NOTIFICATION.—Not later than 30 days after the date on which the Administrator makes a decision under subparagraph (A) or (B), the Administrator shall notify the claimant of the decision.

(d) WATER QUALITY PROGRAM.—

(1) IN GENERAL.—In response to the Gold King Mine spill, the Administrator, in conjunction with affected States, Indian tribes, and local governments, shall develop and implement a program for long-term water quality monitoring of rivers contaminated by the Gold King Mine spill.

(2) REQUIREMENTS.—In carrying out the program described in paragraph (1), the Administrator, in conjunction with affected States, Indian tribes, and local governments, shall—

(A) collect water quality samples and sediment data;

(B) provide the public with a means of viewing the samples and data referred to in subparagraph (A) by, at a minimum, posting the information on the website of the Administrator;

(C) take any other relevant measure necessary to assist affected States, Indian tribes, and local governments with long-term water monitoring; and

(D) carry out additional program activities, as determined by the Administrator.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator such sums as may be necessary to reimburse affected States, Indian tribes, and local governments for the costs of long-term water quality monitoring of any river contaminated by the Administrator.

SA 5029. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PRELIMINARY CONCEPT DESIGN PROCESS.

(a) PRELIMINARY CONCEPT DESIGN DOCUMENT.—After receipt of a preliminary permit, a non-Federal entity seeking to develop hydroelectric power at a civil works project of the Corps of Engineers may submit to the Corps of Engineers a preliminary concept design that is consistent with the license application process of the Federal Energy Regulatory Commission.

(b) INTEGRATED REVIEW.—The heads of the district, division, and headquarters levels of the Corps of Engineers shall conduct an integrated review of any preliminary concept design submitted under subsection (a).

(c) PRELIMINARY FINDING.—Not later than 60 days after a non-Federal entity submits a preliminary concept design under subsection (a), the Corps of Engineers shall—

(1) complete the review under subsection (b); and

(2) provide the non-Federal entity with—

(A) preliminary findings that include an analysis and comments on the concept design, as the concept design relates to approval for use in the Corps of Engineers licensing process and the ultimate development of the project;

(B)(i) preliminary approval, denial, or request for additional information of the concept design; and

(ii) a description of any measures necessary for the Corps of Engineers to permit the project, including engineering designs and measures necessary for permits under section 14 of the Act of March 3, 1899 (commonly known as the ''Rivers and Harbors Appropriations Act of 1899'') (33 U.S.C. 408); and

(C) the assignment of a project delivery coordinator or a Federal Energy Regulatory Commission coordinator, designated by the Chief of Engineers, who shall—

(i) coordinate the project within the Corps of Engineers; and

(ii) be given direct oversight over selection to the project delivery team members who have appropriate expertise during the licensing process.

(d) PERMIT REVIEW.—If a non-Federal entity has submitted to the Corps of Engineers a design concept under subsection (a), the applications from that non-Federal entity for permits under section 14 of the Act of March 3, 1899 (commonly known as the ''Rivers and Harbors Appropriations Act of 1899'') (33 U.S.C. 408) to develop hydroelectric power at the civil works project of the Corps of Engineers identified by the non-Federal entity shall be considered by the project delivery coordinator or Federal Energy Regulatory Commission coordinator designated under subsection (c)(2)(C).

(e) NON-FEDERAL HYDROELECTRIC POWER DEVELOPMENT OMBUDSMAN.—

(1) DESIGNATION.—The Chief of Engineers shall designate from within the Corps of Engineers an ombudsman, to be known as the ''Ombudsman for Non-Federal Hydroelectric Power Development'' (referred to in this section as the ''Ombudsman'').

(2) REQUIREMENTS.—The Ombudsman—

(A) shall not be otherwise involved in the review of any Corps of Engineers permit to develop hydroelectric power at any civil works project of the Corps of Engineers;

(B) shall be located at the headquarters of the Corps of Engineers; and

(C) shall be an employee serving with the minimum rank of Colonel.

(3) RESPONSIBILITIES.—With respect to the development of non-Federal hydroelectric power at any civil works project of the Corps of Engineers, the Ombudsman shall, on request made in writing by the non-Federal entity or the project delivery coordinator or Federal Energy Regulatory Commission coordinator designated under subsection (c)(2)(C)—

(A) within 60 days of the request, resolve, with respect to Corps of Engineers permits, disputes—

(i) within the Corps of Engineers; or

(ii) between the non-Federal entity and the Corps of Engineers; and

(B) ensure that the development standards and procedures are consistent in all districts of the Corps of Engineers.

SA 5030. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, strike lines 14 through 19 and insert the following:

''(b) LOCAL FLOOD PROTECTION WORKS.—

''(1) IN GENERAL.—Permission under subsection (a) for alterations to a Federal levee, floodwall, or flood risk management channel project and associated features may be granted by a District Engineer of the Department of the Army or an authorized representative.

''(2) TIMELY APPROVAL OF PERMITS.—On the date that is 120 days after the date on which the Secretary receives an application for a permit under subsection (a), the application shall be approved if—

''(A) the Secretary has not made a determination on the approval or disapproval of the application; and

''(B) the plans detailed in the application were prepared and certified by a professional engineer licensed by the State in which the project is located.

SA 5031. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 10___. CONVERSION OF SURPLUS WATER AGREEMENTS.

Section 6 of the Act of December 22, 1944 (33 U.S.C. 708), is amended—

(1) by striking ''**SEC. 6.** That the Secretary'' and inserting the following:

''SEC. 6. SALE OF SURPLUS WATERS FOR DOMESTIC AND INDUSTRIAL USES.

''(a) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(b) PERMANENT STORAGE AGREEMENTS.—In any case in which a water supply agreement with a duration of 30 years or longer was predicated on water that was surplus to a purpose and provided for the complete payment of the actual investment costs of storage to be used, and that purpose is no longer authorized, the Secretary of the Army shall provide to the non-Federal entity an opportunity to convert the agreement to a permanent storage agreement in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), with the same payment terms incorporated in the agreement.''.

SA 5032. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 10___. CONVERSION OF SURPLUS WATER AGREEMENTS.

Section 6 of the Act of December 22, 1944 (33 U.S.C. 708), is amended—

(1) by striking ''**SEC. 6.** That the Secretary'' and inserting the following:

''SEC. 6. SALE OF SURPLUS WATERS FOR DOMESTIC AND INDUSTRIAL USES.

''(a) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(b) CONTINUATION OF CERTAIN WATER SUPPLY AGREEMENTS.—In any case in which a water supply agreement was predicated on water that was surplus to a purpose and provided for contingent permanent storage rights under section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b) pending the need for storage for that purpose, and that purpose is no longer authorized, the Secretary of the Army shall continue the agreement with the same payment and all other terms as in effect prior to deauthorization of the purpose if the non-Federal entity has met all of the conditions of the agreement.

''(c) PERMANENT STORAGE AGREEMENTS.—In any case in which a water supply agreement with a duration of 30 years or longer was predicated on water that was surplus to a purpose and provided for the complete payment of the actual investment costs of storage to be used, and that purpose is no longer authorized, the Secretary of the Army shall provide to the non-Federal entity an opportunity to convert the agreement to a permanent storage agreement in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), with the same payment terms incorporated in the agreement.''.

SA 5033. Mr. COCHRAN (for himself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 40___. PEARL RIVER BASIN, MISSISSIPPI.

The project for flood damage reduction authorized by section 401(e)(3) of the Water Resources Development Act of 1986 (100 Stat. 4132), as amended by section 3104 of the Water Resources Development Act of 2007 (121 Stat. 1134), is modified to authorize the Secretary to carry out the project substantially in accordance with the findings of the Integrated Feasibility and Environmental Impact Statement Record of Decision approved by the Assistant Secretary of the Army for Civil Works.

SA 5034. Mr. COCHRAN (for himself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 40___. YAZOO BASIN, MISSISSIPPI.

(a) IN GENERAL.—The project for flood damage reduction, bank stabilization, and sediment and erosion control known as the ''Yazoo Basin, Mississippi, Mississippi Delta Headwaters Project, MS'', authorized by title I of Public Law 98–8 (97 Stat. 22), and which consists of 16 watersheds located in the eastern foothills of the Yazoo River Basin, is expanded to include an additional 16 watersheds as follows:

(1) Arkabutla Creek.
(2) Ascalmore Creek.
(3) Big Sand Creek.
(4) Camp Creek.
(5) Indian Creek.
(6) Johnson Creek.
(7) Little Tallahatchie River.
(8) Long Creek.
(9) McIvor Creek.
(10) Peach Creek.
(11) Potacocowa Creek.
(12) Skuna River.
(13) Teoc Creek.
(14) Tillatoba Creek.
(15) Turkey Creek.
(16) Yocona River.

(b) OPERATION AND MAINTENANCE.—The Secretary may operate and maintain those features of the project described in subsection (a) that are located on property on which the Federal Government retains a real property interest, including both features completed before the date of enactment of this Act and features not completed as of the date of enactment of this Act.

SA 5035. Mr. ISAKSON (for himself and Mr. PERDUE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1_____. USE OF OPTIMAL FUNDING LEVELS.

Notwithstanding any other provision of law, in the preparation of each cost estimate and post-authorization cost adjustment for a construction project of the Corps of Engineers, the Secretary shall use the applicable optimal funding level for that project.

SA 5036. Mr. ISAKSON (for himself and Mr. PERDUE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in section 5001 (relating to deauthorizations), insert the following:

(__) NEW SAVANNAH BLUFF LOCK AND DAM, GEORGIA AND SOUTH CAROLINA.—

(1) DEFINITIONS.—In this subsection:

(A) NEW SAVANNAH BLUFF LOCK AND DAM.—The term ''New Savannah Bluff Lock and Dam'' has the meaning given the term in section 348(*l*)(1) of the Water Resources Development Act of 2000 (114 Stat. 2630) (as in effect on the day before the date of enactment of this Act).

(B) PROJECT.—The term ''Project'' means the project for navigation, Savannah Harbor expansion, Georgia, authorized by section 101(b)(9) of the Water Resources Development Act of 1999 (113 Stat. 279; 117 Stat. 141).

(2) DEAUTHORIZATION.—

(A) IN GENERAL.—Effective beginning on the date of enactment of this Act—

(i) the New Savannah Bluff Lock and Dam is deauthorized; and

(ii) notwithstanding section 348(*l*)(2)(B) of the Water Resources Development Act of 2000 (114 Stat. 2630; 114 Stat. 2763A–228) (as in effect on the day before the date of enactment of this Act) or any other provision of law, the New Savannah Bluff Lock and Dam shall not be conveyed to the city of North Augusta and Aiken County, South Carolina, or any other non-Federal entity.

(B) REPEAL.—Section 348 of the Water Resources Development Act of 2000 (114 Stat. 2630; 114 Stat. 2763A–228) is amended—

(i) by striking subsection (*l*); and

(ii) by redesignating subsections (m) and (n) as subsections (*l*) and (m), respectively.

(3) PROJECT MODIFICATIONS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the Project is modified to include, as the Secretary determines to be necessary—

(i)(I) repair of the lock wall of the New Savannah Bluff Lock and Dam and modification of the structure such that the structure is able—

(aa) to maintain the pool for navigation, water supply, and recreational activities, as in existence on the date of enactment of this Act; and

(bb) to allow safe passage via a rock ramp over the structure to historic spawning grounds of Shortnose sturgeon, Atlantic sturgeon, and other migratory fish; or

(II)(aa) construction at an appropriate location across the Savannah River of a rock weir that is able to maintain the pool for water supply and recreational activities, as in existence on the date of enactment of this Act; and

(bb) removal of the New Savannah Bluff Lock and Dam on completion of construction of the weir; and

(ii) conveyance by the Secretary to Augusta-Richmond County, Georgia, of the park and recreation area adjacent to the New Savannah Bluff Lock and Dam, without consideration.

(B) OPERATION AND MAINTENANCE COSTS.—The Federal share of the costs of operation and maintenance of any Project feature constructed pursuant to subparagraph (A) shall be 100 percent.

(4) PROJECT COSTS.—There are authorized to be appropriated to the Secretary such sums as are necessary to carry out the Project, as modified by paragraph (3).

SA 5037. Mr. MCCAIN (for himself, Mr. CORNYN, Mr. COTTON, Mr. SESSIONS, Mr. BURR, and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 80___. COUNTERINTELLIGENCE ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.

Section 2709 of title 18, United States Code, is amended by striking subsection (b) and inserting the following:

''(b) REQUIRED CERTIFICATION.—

''(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, or his or her designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director, may, using a term that specifically identifies a person, entity, telephone number, or account as the basis for a request, request information and records described in paragraph (2) of a person or entity, but not the contents of an electronic communication, if the Director (or his or her designee) certifies in writing to the wire or electronic communication service provider to which the request is made that the information and records sought are relevant to an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely on the basis of activities protected by the first amendment to the Constitution of the United States.

''(2) OBTAINABLE TYPES OF INFORMATION AND RECORDS.—The information and records described in this paragraph are the following:

''(A) Name, physical address, e-mail address, telephone number, instrument number, and other similar account identifying information.

''(B) Account number, login history, length of service (including start date), types of service, and means and sources of payment for service (including any card or bank account information).

''(C) Local and long distance toll billing records.

''(D) Internet Protocol (commonly known as 'IP') address or other network address, including any temporarily assigned IP or network address, communication addressing, routing, or transmission information, including any network address translation information (but excluding cell tower information), and session times and durations for an electronic communication.''.

SEC. 80___. PERMANENT AUTHORITY FOR INDIVIDUAL TERRORISTS TO BE TREATED AS AGENTS OF FOREIGN POWERS UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

Section 6001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 1801 note) is amended by striking subsection (b).

SA 5038. Mrs. CAPITO submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 10___. CONSIDERATION OF FACTORS IN DISPOSITION STUDIES.

In carrying out any disposition study for a project of the Corps of Engineers (including an assessment and inventory under section 6002 of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1349)), the Secretary shall consider the extent to which the applicable property has—

(1) economic or recreational significance; or

(2) an impact at the national, State, or local level.

SA 5039. Mrs. ERNST (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

SEC. 60___. GAO STUDY ON CORPS OF ENGINEERS METHODOLOGY AND PERFORMANCE METRICS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a study of the methodologies and performance metrics used by the Corps of Engineers to calculate benefit-cost ratios and evaluate construction projects.

(b) CONSIDERATIONS.—The study under subsection (a) shall address—

(1) whether and to what extent the current methodologies and performance metrics place small and rural geographic areas at a competitive disadvantage;

(2) whether the value of property for which damage would be prevented as a result of a flood risk management project is the best measurement for the primary input in benefit-cost calculations for flood risk management projects;

(3) any recommendations for approaches to modify the metrics used to improve benefit-cost ratio results for small and rural geographic areas; and

(4) whether a reevaluation of existing approaches and the primary criteria used to calculate the economic benefits of a Corps of Engineers construction project could provide greater construction project completion results for small and rural geographic areas without putting a strain on the budget of the Corps of Engineers.

SA 5040. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8_____. BEACH MONITORING.

(a) WATER POLLUTION SOURCE IDENTIFICATION.—

(1) MONITORING PROTOCOLS.—Section 406(a)(1)(A) of the Federal Water Pollution Control Act (33 U.S.C. 1346(a)(1)(A)) is amended by striking ''methods for monitoring'' and inserting ''protocols for monitoring that are most likely to detect pathogenic contamination''.

(2) SOURCE TRACKING.—Section 406(b) of such Act (33 U.S.C. 1346(b)) is amended by adding at the end the following:

''(5) CONTENTS OF MONITORING AND NOTIFICATION PROGRAMS.—For the purposes of this section, a program for monitoring, assessment, and notification shall include, consistent with performance criteria published by the Administrator under subsection (a), monitoring, public notification, storm event testing, source tracking, and sanitary surveys, and may include prevention efforts, not already funded under this Act to address identified sources of contamination by pathogens and pathogen indicators in coastal recreation waters adjacent to beaches or similar points of access that are used by the public.''.

(3) AUTHORIZATION OF APPROPRIATIONS.—Section 406(i) of such Act (33 U.S.C. 1346(i)) is amended by striking ''2001 through 2005'' and inserting ''2017 through 2021''.

(b) FUNDING FOR BEACHES ENVIRONMENTAL ASSESSMENT AND COASTAL HEALTH ACT.—Section 8 of the Beaches Environmental Assessment and Coastal Health Act of 2000 (Public Law 106–284) is amended by striking ''2005'' and inserting ''2019''.

(c) STATE REPORTS.—Section 406(b)(3)(A)(ii) of the Federal Water Pollution Control Act (33 U.S.C. 1346(b)(3)(A)(ii)) is amended by striking ''public'' and inserting ''public and all environmental agencies of the State with authority to prevent or treat sources of pathogenic contamination in coastal recreation waters''.

(d) USE OF RAPID TESTING METHODS.—

(1) CONTENTS OF STATE AND LOCAL GOVERNMENT PROGRAMS.—Section 406(c)(4)(A) of the Federal Water Pollution Control Act (33 U.S.C. 1346(c)(4)(A)) is amended by striking ''methods'' and inserting ''methods, including a rapid testing method after the last day of the one-year period after the date of validation of that rapid testing method by the Administrator,''.

(2) REVISED CRITERIA.—Section 304(a)(9)(A) of such Act (33 U.S.C. 1314(a)(9)(A)) is amended by striking ''methods, as appropriate'' and inserting ''methods, including rapid testing methods''.

(3) VALIDATION AND USE OF RAPID TESTING METHODS.—

(A) VALIDATION OF RAPID TESTING METHODS.—Not later than 6 months after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (in this section referred to as the ''Administrator'') shall complete an evaluation and validation of a rapid testing method for the water quality criteria and standards for pathogens and pathogen indicators described in section 304(a)(9)(A) of the Federal Water Pollution Control Act (33 U.S.C. 1314(a)(9)(A)).

(B) GUIDANCE FOR USE OF RAPID TESTING METHODS.—

(i) IN GENERAL.—Not later than 180 days after completion of the validation under subparagraph (A), after providing notice and an opportunity for public comment, the Administrator shall publish guidance for the use at coastal recreation waters adjacent to beaches or similar points of access that are used by the public of a rapid testing method that will enhance the protection of public health and safety through rapid public notification of any exceedance of applicable water quality standards for pathogens and pathogen indicators.

(ii) PRIORITIZATION.—In developing such guidance, the Administrator shall require the use of a rapid testing method at those beaches or similar points of access that are the most used by the public.

(4) DEFINITION.—Section 502 of such Act (33 U.S.C. 1362) is amended by adding at the end the following:

''(27) RAPID TESTING METHOD.—The term 'rapid testing method' means a method of testing the water quality of coastal recreation waters for which results are available as soon as practicable and not more than 4

hours after receipt of the applicable sample by the testing facility.''.

(5) REVISIONS TO RAPID TESTING METHODS.—

(A) IN GENERAL.—Upon completion of the validation required under paragraph (3)(A), and every 5 years thereafter, the Administrator shall identify and review potential rapid testing methods for existing water quality criteria for pathogens and pathogen indicators for coastal recreation waters.

(B) REVISIONS TO RAPID TESTING METHODS.—If a rapid testing method identified under subparagraph (A) will make results available in less time and improve the accuracy and reproducibility of results when compared to the existing rapid testing method, the Administrator shall complete an evaluation and validation of the rapid testing method as expeditiously as practicable.

(C) REPORTING REQUIREMENT.—Upon completion of the review required under subparagraph (A), the Administrator shall publish in the Federal Register the results of the review, including information on any potential rapid testing method proposed for evaluation and validation under subparagraph (B).

(D) DECLARATION OF GOALS FOR RAPID TESTING METHODS.—It is a national goal that by 2019, a rapid testing method for testing water quality of coastal recreation waters be developed that can produce accurate and reproducible results in not more than 2 hours after receipt of the applicable sample.

(e) NOTIFICATION OF FEDERAL, STATE, AND LOCAL AGENCIES.—Section 406(c) of the Federal Water Pollution Control Act (33 U.S.C. 1346(c)) is amended—

(1) in paragraph (5), in the matter preceding subparagraph (A), by striking ''prompt communication'' and inserting ''communication, within 2 hours of the receipt of the results of a water quality sample,'';

(2) by striking paragraph (5)(A) and inserting the following:

''(A) in the case of—

''(i) any State in which the Administrator is administering the program under section 402, the Administrator, in such form as the Administrator determines to be appropriate; and

''(ii) any State other than a State to which clause (i) applies, all agencies of the State government with authority to require the prevention or treatment of the sources of coastal recreation water pollution; and'';

(3) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(4) by inserting after paragraph (5) the following:

''(6) measures for an annual report to the Administrator, in such form as the Administrator determines appropriate, on the occurrence, nature, location, pollutants involved, and extent of any exceedance of applicable water quality standards for pathogens and pathogen indicators;''.

(f) CONTENT OF STATE AND LOCAL PROGRAMS.—Section 406(c) of the Federal Water Pollution Control Act (33 U.S.C. 1346(c)) is amended—

(1) in paragraph (7) (as redesignated by subsection (e)(3))—

(A) by striking ''the posting'' and inserting ''the immediate posting''; and

(B) by striking ''and'' at the end;

(2) by striking the period at the end of paragraph (8) (as redesignated by subsection (e)(3)) and inserting a semicolon; and

(3) by adding at the end the following:

''(9) the availability of a geographic information system database that such State or local government program shall use to inform the public about coastal recreation waters and that—

''(A) is publicly accessible and searchable on the Internet;

''(B) is organized by beach or similar point of access;

''(C) identifies applicable water quality standards, monitoring protocols, sampling plans and results, and the number and cause of coastal recreation water closures and advisory days; and

''(D) is updated within 12 hours of the availability of information indicating the presence of pathogens or pathogen indicators; and

''(10) measures to ensure that closures or advisories are made or issued within 2 hours after the receipt of the results of a water quality sample that exceeds applicable water quality standards for pathogens and pathogen indicators.''.

(g) COMPLIANCE REVIEW.—Section 406(h) of the Federal Water Pollution Control Act (33 U.S.C. 1346(h)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by moving such subparagraphs 2 ems to the right;

(3) by striking ''In the'' and inserting the following:

''(1) IN GENERAL.—In the''; and

(4) by adding at the end the following:

''(2) COMPLIANCE REVIEW.—On or before July 31 of each calendar year beginning after the date of enactment of this paragraph, the Administrator shall—

''(A) prepare a written assessment of compliance with all statutory and regulatory requirements of this section for each State and local government and of compliance with conditions of each grant made under this section to a State or local government;

''(B) notify the State or local government of such assessment; and

''(C) make each of the assessments available to the public in a searchable database on the Internet on or before December 31 of such calendar year.

''(3) CORRECTIVE ACTION.—If a State or local government that the Administrator notifies under paragraph (2) is not in compliance with any requirement or grant condition described in paragraph (2) fails to take such action as may be necessary to comply with such requirement or condition within one year after the date of notification, any grants made under subsection (b) to the State or local government, after the last day of such one-year period and while the State or local government is not in compliance with all requirements and grant conditions described in paragraph (2), shall have a Federal share of not to exceed 50 percent.

''(4) GAO REVIEW.—Not later than December 31 of the third calendar year beginning after the date of enactment of this paragraph, the Comptroller General shall conduct a review of the activities of the Administrator under paragraphs (2) and (3) during the first and second calendar years beginning after such date of enactment and submit to Congress a report on the results of such review.''.

(h) PUBLICATION OF COASTAL RECREATION WATERS PATHOGEN LIST.—Section 304(a)(9) of the Federal Water Pollution Control Act (33 U.S.C. 1314(a)(9)) is amended by adding at the end the following:

''(C) PUBLICATION OF PATHOGEN AND PATHOGEN INDICATOR LIST.—Upon publication of the new or revised water quality criteria under subparagraph (A), the Administrator shall publish in the Federal Register a list of all pathogens and pathogen indicators studied under section 104(v).''.

(i) ADOPTION OF NEW OR REVISED CRITERIA AND STANDARDS.—Section 303(i) of the Federal Water Pollution Control Act (33 U.S.C. 1313(i)) is amended—

(1) in paragraph (1)(A), by striking ''water quality criteria and standards'' and inserting ''the most protective water quality criteria and standards practicable''; and

(2) in paragraph (2)(A), by striking ''paragraph (1)(A)'' each place it appears and inserting ''paragraph (1)''.

(j) NATIONAL LIST OF BEACHES.—Section 406(g) of the Federal Water Pollution Control Act (33 U.S.C. 1346(g)) is amended—

(1) in paragraph (1), by inserting '', regardless of the presence of a lifeguard,'' after ''that are used by the public''; and

(2) in paragraph (3), by striking ''The Administrator'' and all that follows through the period and inserting ''Not later than 12 months after the date of the enactment of the Water Resources Development Act of 2016, and biennially thereafter, the Administrator shall update the list described in paragraph (1).''.

(k) IMPACT OF CLIMATE CHANGE ON PATHOGENIC CONTAMINATION OF COASTAL RECREATION WATERS.—

(1) STUDY.—The Administrator shall conduct a study on the long-term impact of climate change on pathogenic contamination of coastal recreation waters.

(2) REPORT.—

(A) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Administrator shall submit to Congress a report on the results of the study conducted under paragraph (1).

(B) INFORMATION ON POTENTIAL CONTAMINATION IMPACTS.—The report shall include information on the potential impacts of pathogenic contamination on ground and surface water resources as well as public and ecosystem health in coastal communities.

(C) FEDERAL ACTIONS.—The report shall highlight necessary Federal actions to help advance the availability of information and tools to assess and mitigate these effects in order to protect public and ecosystem health.

(D) CONSULTATION.—In developing the report, the Administrator shall work in consultation with agencies active in the development of the National Water Quality Monitoring Network and the implementation of the Ocean Research Priorities Plan and Implementation Strategy.

(l) IMPACT OF EXCESS NUTRIENTS ON COASTAL RECREATION WATERS.—

(1) STUDY.—The Administrator shall conduct a study to review the available scientific information pertaining to the impacts of excess nutrients on coastal recreation waters.

(2) REPORT.—

(A) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Administrator shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the results of the study conducted under paragraph (1).

(B) IMPACTS.—Such report shall include information on any adverse impacts of excess nutrients on coastal recreation waters, including adverse impacts caused by algal blooms resulting from excess nutrients.

(C) RECOMMENDATIONS.—Such report shall include recommendations for action to address adverse impacts of excess nutrients and algal blooms on coastal recreation waters, including the establishment and implementation of numeric water quality criteria for nutrients.

(D) CONSULTATION.—In developing such report, the Administrator shall consult with the heads of other appropriate Federal agencies (including the National Oceanic and Atmospheric Administration), States, and local government entities.

SA 5041. Mr. TESTER submitted an amendment intended to be proposed to

amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IX—BLACKFEET WATER RIGHTS SETTLEMENT ACT

SEC. 9001. SHORT TITLE.

This title may be cited as the ''Blackfeet Water Rights Settlement Act''.

SEC. 9002. PURPOSES.

The purposes of this title are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights in the State of Montana for—

(A) the Blackfeet Tribe of the Blackfeet Indian Reservation; and

(B) the United States, for the benefit of the Tribe and allottees;

(2) to authorize, ratify, and confirm the water rights compact entered into by the Tribe and the State, to the extent that the Compact is consistent with this title;

(3) to authorize and direct the Secretary of the Interior—

(A) to execute the Compact; and

(B) to take any other action necessary to carry out the Compact in accordance with this title; and

(4) to authorize funds necessary for the implementation of the Compact and this title.

SEC. 9003. DEFINITIONS.

In this title:

(1) ALLOTTEE.—The term ''allottee'' means any individual who holds a beneficial real property interest in an allotment of Indian land that is—

(A) located within the Reservation; and

(B) held in trust by the United States.

(2) BIRCH CREEK AGREEMENT.—The term ''Birch Creek Agreement'' means—

(A) the agreement between the Tribe and the State regarding Birch Creek water use dated January 31, 2008 (as amended on February 13, 2009); and

(B) any amendment or exhibit (including exhibit amendments) to that agreement that is executed in accordance with this title.

(3) BLACKFEET IRRIGATION PROJECT.—The term ''Blackfeet Irrigation Project'' means the irrigation project authorized by the matter under the heading ''MONTANA'' of title II of the Act of March 1, 1907 (34 Stat. 1035, chapter 2285), and administered by the Bureau of Indian Affairs.

(4) COMPACT.—The term ''Compact'' means—

(A) the Blackfeet-Montana water rights compact dated April 15, 2009, as contained in section 85–20–1501 of the Montana Code Annotated (2015); and

(B) any amendment or exhibit (including exhibit amendments) to the Compact that is executed to make the Compact consistent with this title.

(5) ENFORCEABILITY DATE.—The term ''enforceability date'' means the date described in section 9020(f).

(6) LAKE ELWELL.—The term ''Lake Elwell'' means the water impounded on the Marias River in the State by Tiber Dam, a feature of the Lower Marias Unit of the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 891, chapter 665).

(7) MILK RIVER BASIN.—The term ''Milk River Basin'' means the North Fork, Middle Fork, South Fork, and main stem of the Milk River and tributaries, from the headwaters to the confluence with the Missouri River.

(8) MILK RIVER PROJECT.—

(A) IN GENERAL.—The term ''Milk River Project'' means the Bureau of Reclamation project conditionally approved by the Secretary on March 14, 1903, pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), commencing at Lake Sherburne Reservoir and providing water to a point approximately 6 miles east of Nashua, Montana.

(B) INCLUSIONS.—The term ''Milk River Project'' includes—

(i) the St. Mary Unit;

(ii) the Fresno Dam and Reservoir; and

(iii) the Dodson pumping unit.

(9) MILK RIVER PROJECT WATER RIGHTS.—The term ''Milk River Project water rights'' means the water rights held by the Bureau of Reclamation on behalf of the Milk River Project, as finally adjudicated by the Montana Water Court.

(10) MILK RIVER WATER RIGHT.—The term ''Milk River water right'' means the portion of the Tribal water rights described in article III.F of the Compact and this title.

(11) MISSOURI RIVER BASIN.—The term ''Missouri River Basin'' means the hydrologic basin of the Missouri River (including tributaries).

(12) MR&I SYSTEM.—The term ''MR&I System'' means the intake, treatment, pumping, storage, pipelines, appurtenant items, and any other feature of the system, as generally described in the document entitled ''Blackfeet Regional Water System'', prepared by DOWL HKM, and dated June 2010, and modified by DOWL HKM, as set out in the addendum to the report dated March 2013.

(13) OM&R.—The term ''OM&R'' means—

(A) any recurring or ongoing activity associated with the day-to-day operation of a project;

(B) any activity relating to scheduled or unscheduled maintenance of a project; and

(C) any activity relating to replacing a feature of a project.

(14) RESERVATION.—The term ''Reservation'' means the Blackfeet Indian Reservation of Montana, as—

(A) established by the Treaty of October 17, 1855 (11 Stat. 657); and

(B) modified by—

(i) the Executive Order of July 5, 1873 (relating to the Blackfeet Reserve);

(ii) the Act of April 15, 1874 (18 Stat. 28, chapter 96);

(iii) the Executive order of August 19, 1874 (relating to the Blackfeet Reserve);

(iv) the Executive order of April 13, 1875 (relating to the Blackfeet Reserve);

(v) the Executive order of July 13, 1880 (relating to the Blackfeet Reserve);

(vi) the Agreement with the Blackfeet, ratified by the Act of May 1, 1888 (25 Stat. 113, chapter 213); and

(vii) the Agreement with the Blackfeet, ratified by the Act of June 10, 1896 (29 Stat. 353, chapter 398).

(15) ST. MARY RIVER WATER RIGHT.—The term ''St. Mary River water right'' means that portion of the Tribal water rights described in article III.G.1.a.i. of the Compact and this title.

(16) ST. MARY UNIT.—

(A) IN GENERAL.—The term ''St. Mary Unit'' means the St. Mary Storage Unit of the Milk River Project authorized by Congress on March 25, 1905.

(B) INCLUSIONS.—The term ''St. Mary Unit'' includes—

(i) Sherburne Dam and Reservoir;

(ii) Swift Current Creek Dike;

(iii) Lower St. Mary Lake;

(iv) St. Mary Canal Diversion Dam; and

(v) St. Mary Canal and appurtenances.

(17) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(18) STATE.—The term ''State'' means the State of Montana.

(19) SWIFTCURRENT CREEK BANK STABILIZATION PROJECT.—The term ''Swiftcurrent Creek Bank Stabilization Project'' means the project to mitigate the physical and environmental problems associated with the St. Mary Unit from Sherburne Dam to the St. Mary River, as described in the report entitled ''Boulder/Swiftcurrent Creek Stabilization Project, Phase II Investigations Report'', prepared by DOWL HKM, and dated March 2012.

(20) TRIBAL WATER RIGHTS.—The term ''Tribal water rights'' means the water rights of the Tribe described in article III of the Compact and this title, including—

(A) the Lake Elwell allocation provided to the Tribe under section 9009; and

(B) the instream flow water rights described in section 9019.

(21) TRIBE.—The term ''Tribe'' means the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana.

SEC. 9004. RATIFICATION OF COMPACT.

(a) RATIFICATION.—

(1) IN GENERAL.—As modified by this title, the Compact is authorized, ratified, and confirmed.

(2) AMENDMENTS.—Any amendment to the Compact is authorized, ratified, and confirmed, to the extent that such amendment is executed to make the Compact consistent with this title.

(b) EXECUTION.—

(1) IN GENERAL.—To the extent that the Compact does not conflict with this title, the Secretary shall execute the Compact, including all exhibits to, or parts of, the Compact requiring the signature of the Secretary.

(2) MODIFICATIONS.—Nothing in this title precludes the Secretary from approving any modification to an appendix or exhibit to the Compact that is consistent with this title, to the extent that the modification does not otherwise require congressional approval under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable provision of Federal law.

(c) ENVIRONMENTAL COMPLIANCE.—

(1) IN GENERAL.—In implementing the Compact and this title, the Secretary shall comply with all applicable provisions of—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) all other applicable environmental laws and regulations.

(2) EFFECT OF EXECUTION.—

(A) IN GENERAL.—The execution of the Compact by the Secretary under this section shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) COMPLIANCE.—The Secretary shall carry out all Federal compliance activities necessary to implement the Compact and this title.

SEC. 9005. MILK RIVER WATER RIGHT.

(a) IN GENERAL.—With respect to the Milk River water right, the Tribe—

(1) may continue the historical uses and the uses in existence on the date of enactment of this title; and

(2) except as provided in article III.F.1.d of the Compact, shall not develop new uses until the date on which—

(A) the Tribe has entered into the agreement described in subsection (c); or

(B) the Secretary has established the terms and conditions described in subsection (e).

(b) WATER RIGHTS ARISING UNDER STATE LAW.—With respect to any water rights arising under State law in the Milk River Basin owned or acquired by the Tribe, the Tribe—

(1) may continue any use in existence on the date of enactment of this title; and

(2) shall not change any use until the date on which—

(A) the Tribe has entered into the agreement described in subsection (c); or

(B) the Secretary has established the terms and conditions described in subsection (e).

(c) TRIBAL AGREEMENT.—

(1) IN GENERAL.—In consultation with the Commissioner of Reclamation and the Director of the Bureau of Indian Affairs, the Tribe and the Fort Belknap Indian Community shall enter into an agreement to provide for the exercise of their respective water rights on the respective reservations of the Tribe and the Fort Belknap Indian Community in the Milk River.

(2) CONSIDERATIONS.—The agreement entered into under paragraph (1) shall take into consideration—

(A) the equal priority dates of the 2 Indian tribes;

(B) the water supplies of the Milk River; and

(C) historical, current, and future uses identified by each Indian tribe.

(d) SECRETARIAL DETERMINATION.—

(1) IN GENERAL.—Not later than 120 days after the date on which the agreement described in subsection (c) is submitted to the Secretary, the Secretary shall review and approve or disapprove the agreement.

(2) APPROVAL.—The Secretary shall approve the agreement if the Secretary finds that the agreement—

(A) equitably accommodates the interests of each Indian tribe in the Milk River;

(B) adequately considers the factors described in subsection (c)(2); and

(C) is otherwise in accordance with applicable law.

(3) DEADLINE EXTENSION.—The deadline to review the agreement described in paragraph (1) may be extended by the Secretary after consultation with the Tribe and the Fort Belknap Indian Community.

(e) SECRETARIAL DECISION.—

(1) IN GENERAL.—If the Tribe and the Fort Belknap Indian Community do not, by 3 years after the Secretary certifies under section 9020(f)(5) that the Tribal membership has approved the Compact and this title, enter into an agreement approved under subsection (d)(2), the Secretary, in the Secretary's sole discretion, shall establish, after consultation with the Tribe and the Fort Belknap Indian Community, terms and conditions that reflect the considerations described in subsection (c)(2) by which the respective water rights of the Tribe and the Fort Belknap Indian Community in the Milk River may be exercised.

(2) CONSIDERATION AS FINAL AGENCY ACTION.—The establishment by the Secretary of terms and conditions under paragraph (1) shall be considered to be a final agency action for purposes of review under chapter 7 of title 5, United States Code.

(3) JUDICIAL REVIEW.—An action for judicial review pursuant to this section shall be brought by not later than the date that is 1 year after the date of notification of the establishment of the terms and conditions under this subsection.

(4) INCORPORATION INTO DECREES.—The agreement under subsection (c), or the decision of the Secretary under this subsection, shall be filed with the Montana Water Court, or the district court with jurisdiction, for incorporation into the final decrees of the Tribe and the Fort Belknap Indian Community.

(5) EFFECTIVE DATE.—The agreement under subsection (c) and a decision of the Secretary under this subsection—

(A) shall be effective immediately; and

(B) may not be modified absent—

(i) the approval of the Secretary; and

(ii) the consent of the Tribe and the Fort Belknap Indian Community.

(f) USE OF FUNDS.—The Secretary shall distribute equally the funds made available under section 9018(a)(2)(C)(ii) to the Tribe and the Fort Belknap Indian Community to use to reach an agreement under this section, including for technical analyses and legal and other related efforts.

SEC. 9006. WATER DELIVERY THROUGH MILK RIVER PROJECT.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall carry out the activities authorized under this section with respect to the St. Mary River water right.

(b) TREATMENT.—Notwithstanding article IV.D.4 of the Compact, any responsibility of the United States with respect to the St. Mary River water right shall be limited to, and fulfilled pursuant to—

(1) subsection (c) of this section; and

(2) subsection (b)(3) of section 9016 and subsection (a)(1)(C) of section 9018.

(c) WATER DELIVERY CONTRACT.—

(1) IN GENERAL.—Not later than 180 days after the enforceability date, the Secretary shall enter into a water delivery contract with the Tribe for the delivery of not greater than 5,000 acre-feet per year of the St. Mary River water right through Milk River Project facilities to the Tribe or another entity specified by the Tribe.

(2) TERMS AND CONDITIONS.—The contract under paragraph (1) shall establish the terms and conditions for the water deliveries described in paragraph (1) in accordance with the Compact and this title.

(3) REQUIREMENTS.—The water delivery contract under paragraph (1) shall include provisions requiring that—

(A) the contract shall be without limit as to term;

(B) the Tribe, and not the United States, shall collect, and shall be entitled to, all consideration due to the Tribe under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (f);

(C) the United States shall have no obligation to monitor, administer, or account for—

(i) any funds received by the Tribe as consideration under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (f); or

(ii) the expenditure of such funds;

(D) if water deliveries under the contract are interrupted for an extended period of time because of damage to, or a reduction in the capacity of, St. Mary Unit facilities, the rights of the Tribe shall be treated in the same manner as the rights of other contractors receiving water deliveries through the Milk River Project with respect to the water delivered under this section;

(E) deliveries of water under this section shall be—

(i) limited to not greater than 5,000 acre-feet of water in any 1 year;

(ii) consistent with operations of the Milk River Project and without additional costs to the Bureau of Reclamation, including operation, maintenance, and replacement costs; and

(iii) without additional cost to the Milk River Project water users; and

(F) the Tribe shall be required to pay OM&R for water delivered under this section.

(d) SHORTAGE SHARING OR REDUCTION.—

(1) IN GENERAL.—The 5,000 acre-feet per year of water delivered under paragraph (3)(E)(i) of subsection (c) shall not be subject to shortage sharing or reduction, except as provided in paragraph (3)(D) of that subsection.

(2) NO INJURY TO MILK RIVER PROJECT WATER USERS.—Notwithstanding article IV.D.4 of the Compact, any reduction in the Milk River Project water supply caused by the delivery of water under subsection (c) shall not constitute injury to Milk River Project water users.

(e) SUBSEQUENT CONTRACTS.—

(1) IN GENERAL.—As part of the studies authorized by section 9007(c)(1), the Secretary, acting through the Commissioner of Reclamation, and in cooperation with the Tribe, shall identify alternatives to provide to the Tribe water from the St. Mary River water right in quantities greater than the 5,000 acre-feet per year of water described in subsection (c)(3)(E)(i).

(2) CONTRACT FOR WATER DELIVERY.—If the Secretary determines under paragraph (1) that more than 5,000 acre-feet per year of the St. Mary River water right can be delivered to the Tribe, the Secretary shall offer to enter into 1 or more contracts with the Tribe for the delivery of that water, subject to the requirements of subsection (c)(3), except subsection (c)(3)(E)(i), and this subsection.

(3) TREATMENT.—Any delivery of water under this subsection shall be subject to reduction in the same manner as for Milk River Project contract holders.

(f) SUBCONTRACTS.—

(1) IN GENERAL.—The Tribe may enter into any subcontract for the delivery of water under this section to a third party, in accordance with section 9015(e).

(2) COMPLIANCE WITH OTHER LAW.—All subcontracts described in paragraph (1) shall comply with—

(A) this title;

(B) the Compact;

(C) the tribal water code; and

(D) other applicable law.

(3) NO LIABILITY.—The Secretary shall not be liable to any party, including the Tribe, for any term of, or any loss or other detriment resulting from, a lease, contract, or other agreement entered into pursuant to this subsection.

(g) EFFECT OF PROVISIONS.—Nothing in this section—

(1) precludes the Tribe from taking the water described in subsection (c)(3)(E)(i), or any additional water provided under subsection (e), from the direct flow of the St. Mary River; or

(2) modifies the quantity of the Tribal water rights described in article III.G.1 of the Compact.

(h) OTHER RIGHTS.—Notwithstanding the requirements of article III.G.1.d of the Compact, after satisfaction of all water rights under State law for use of St. Mary River water, including the Milk River Project water rights, the Tribe shall have the right to the remaining portion of the share of the United States in the St. Mary River under the International Boundary Waters Treaty of 1909 (36 Stat. 2448) for any tribally authorized use or need consistent with this title.

SEC. 9007. BUREAU OF RECLAMATION ACTIVITIES TO IMPROVE WATER MANAGEMENT.

(a) MILK RIVER PROJECT PURPOSES.—The purposes of the Milk River Project shall include—

(1) irrigation;

(2) flood control;

(3) the protection of fish and wildlife;

(4) recreation;

(5) the provision of municipal, rural, and industrial water supply; and

(6) hydroelectric power generation.

(b) USE OF MILK RIVER PROJECT FACILITIES FOR THE BENEFIT OF TRIBE.—The use of Milk River Project facilities to transport water for the Tribe pursuant to subsections (c) and (e) of section 9006, together with any use by the Tribe of that water in accordance with this title—

(1) shall be considered to be an authorized purpose of the Milk River Project; and

(2) shall not change the priority date of any Tribal water rights.

(c) ST. MARY RIVER STUDIES.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary, in cooperation with the Tribe and the State, shall conduct—

(A) an appraisal study—

(i) to develop a plan for the management and development of water supplies in the St. Mary River Basin and Milk River Basin, including the St. Mary River and Milk River water supplies for the Tribe and the Milk River water supplies for the Fort Belknap Indian Community; and

(ii) to identify alternatives to develop additional water of the St. Mary River for the Tribe; and

(B) a feasibility study—

(i) using the information resulting from the appraisal study conducted under paragraph (1) and such other information as is relevant, to evaluate the feasibility of—

(I) alternatives for the rehabilitation of the St. Mary Diversion Dam and Canal; and

(II) increased storage in Fresno Dam and Reservoir; and

(ii) to create a cost allocation study that is based on the authorized purposes described in subsections (a) and (b).

(2) COOPERATIVE AGREEMENT.—On request of the Tribe, the Secretary shall enter into a cooperative agreement with the Tribe with respect to the portion of the appraisal study described in paragraph (1)(A).

(3) COSTS NONREIMBURSABLE.—The cost of the studies under this subsection shall not be—

(A) considered to be a cost of the Milk River Project; or

(B) reimbursable in accordance with the reclamation laws.

(d) SWIFTCURRENT CREEK BANK STABILIZATION.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall carry out appropriate activities concerning the Swiftcurrent Creek Bank Stabilization Project, including—

(A) a review of the final project design; and

(B) value engineering analyses.

(2) MODIFICATION OF FINAL DESIGN.—Prior to beginning construction activities for the Swiftcurrent Creek Bank Stabilization Project, on the basis of the review conducted under paragraph (1), the Secretary shall negotiate with the Tribe appropriate changes, if any, to the final design—

(A) to ensure compliance with applicable industry standards;

(B) to improve the cost-effectiveness of the Swiftcurrent Creek Bank Stabilization Project; and

(C) to ensure that the Swiftcurrent Creek Bank Stabilization Project may be constructed using only the amounts made available under section 9018.

(3) APPLICABILITY OF ISDEAA.—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out the Swiftcurrent Bank Stabilization Project.

(e) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under this section, subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total costs incurred under this section.

(f) MILK RIVER PROJECT RIGHTS-OF-WAY AND EASEMENTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Tribe shall grant the United States a right-of-way on Reservation land owned by the Tribe for all uses by the Milk River Project (permissive or otherwise) in existence as of December 31, 2015, including all facilities, flowage easements, and access easements necessary for the operation and maintenance of the Milk River Project.

(2) AGREEMENT REGARDING EXISTING USES.—The Tribe and the Secretary shall enter into an agreement for a process to determine the location, nature, and extent of the existing uses referenced in this subsection. The agreement shall require that—

(A) a panel of 3 individuals determine the location, nature, and extent of existing uses necessary for the operation and maintenance of the Milk River Project (the ''Panel Determination''), with the Tribe appointing 1 representative of the Tribe, the Secretary appointing 1 representative of the Secretary, and those 2 representatives jointly appointing a third individual;

(B) if the Panel Determination is unanimous, the Tribe grant a right-of-way to the United States for the existing uses identified in the Panel Determination in accordance with applicable law without additional compensation;

(C) if the Panel Determination is not unanimous—

(i) the Secretary adopt the Panel Determination with any amendments the Secretary reasonably determines necessary to correct any clear error (the ''Interior Determination''), provided that if any portion of the Panel Determination is unanimous, the Secretary will not amend that portion; and

(ii) the Tribe grant a right-of-way to the United States for the existing uses identified in the Interior Determination in accordance with applicable law without additional compensation, with the agreement providing for the timing of the grant to take into consideration the possibility of review under paragraph (5).

(3) EFFECT.—Determinations made under this subsection—

(A) do not address title as between the United States and the Tribe; and

(B) do not apply to any new use of Reservation land by the United States for the Milk River Project after December 31, 2015.

(4) INTERIOR DETERMINATION AS FINAL AGENCY ACTION.—Any determination by the Secretary under paragraph (2)(C) shall be considered to be a final agency action for purposes of review under chapter 7 of title 5, United States Code.

(5) JUDICIAL REVIEW.—An action for judicial review pursuant to this section shall be brought by not later than the date that is 1 year after the date of notification of the Interior Determination.

(g) FUNDING.—The total amount of obligations incurred by the Secretary shall not exceed—

(1) $3,800,000 to carry out subsection (c);

(2) $20,700,000 to carry out subsection (d); and

(3) $3,100,000 to carry out subsection (f).

SEC. 9008. ST. MARY CANAL HYDROELECTRIC POWER GENERATION.

(a) BUREAU OF RECLAMATION JURISDICTION.—Effective beginning on the date of enactment of this title, the Commissioner of Reclamation shall have exclusive jurisdiction to authorize the development of hydropower on the St. Mary Unit.

(b) RIGHTS OF TRIBE.—

(1) EXCLUSIVE RIGHT OF TRIBE.—Subject to paragraph (2) and notwithstanding any other provision of law, the Tribe shall have the exclusive right to develop and market hydroelectric power of the St. Mary Unit.

(2) LIMITATIONS.—The exclusive right described in paragraph (1)—

(A) shall expire on the date that is 15 years after the date of enactment of an Act appropriating funds for rehabilitation of the St. Mary Unit; but

(B) may be extended by the Secretary at the request of the Tribe.

(3) OM&R COSTS.—Effective beginning on the date that is 10 years after the date on which the Tribe begins marketing hydroelectric power generated from the St. Mary Unit to any third party, the Tribe shall make annual payments for operation, maintenance, and replacement costs attributable to the direct use of any facilities by the Tribe for hydroelectric power generation, in amounts determined in accordance with the guidelines and methods of the Bureau of Reclamation for assessing operation, maintenance, and replacement charges.

(c) BUREAU OF RECLAMATION COOPERATION.—The Commissioner of Reclamation shall cooperate with the Tribe in the development of any hydroelectric power generation project under this section.

(d) AGREEMENT.—Before construction of a hydroelectric power generation project under this section, the Tribe shall enter into an agreement with the Commissioner of Reclamation that includes provisions—

(1) requiring that—

(A) the design, construction, and operation of the project shall be consistent with the Bureau of Reclamation guidelines and methods for hydroelectric power development at Bureau facilities, as appropriate; and

(B) the hydroelectric power generation project will not impair the efficiencies of the Milk River Project for authorized purposes;

(2) regarding construction and operating criteria and emergency procedures; and

(3) under which any modification proposed by the Tribe to a facility owned by the Bureau of Reclamation shall be subject to review and approval by the Secretary, acting through the Commissioner of Reclamation.

(e) USE OF HYDROELECTRIC POWER BY TRIBE.—Any hydroelectric power generated in accordance with this section shall be used or marketed by the Tribe.

(f) REVENUES.—The Tribe shall collect and retain any revenues from the sale of hydroelectric power generated by a project under this section.

(g) LIABILITY OF UNITED STATES.—The United States shall have no obligation to monitor, administer, or account for—

(1) any revenues received by the Tribe under this section; or

(2) the expenditure of those revenues.

(h) PREFERENCE.—During any period for which the exclusive right of the Tribe described in subsection (b)(1) is not in effect, the Tribe shall have a preference to develop hydropower on the St. Mary Unit facilities, in accordance with Bureau of Reclamation guidelines and methods for hydroelectric power development at Bureau facilities.

SEC. 9009. STORAGE ALLOCATION FROM LAKE ELWELL.

(a)(1) STORAGE ALLOCATION TO TRIBE.—The Secretary shall allocate to the Tribe 45,000 acre-feet per year of water stored in Lake Elwell for use by the Tribe for any beneficial purpose on or off the Reservation, under a water right held by the United States and managed by the Bureau of Reclamation, as measured at the outlet works of Tiber Dam or through direct pumping from Lake Elwell.

(2) REDUCTION.—Up to 10,000 acre-feet per year of water allocated to the Tribe pursuant to paragraph (1) will be subject to an acre-foot for acre-foot reduction if depletions from the Tribal water rights above Lake Elwell exceed 88,000 acre-feet per year of water because of New Development (as defined in article II.37 of the Compact).

(b) TREATMENT.—

(1) IN GENERAL.—The allocation to the Tribe under subsection (a) shall be considered to be part of the Tribal water rights.

(2) PRIORITY DATE.—The priority date of the allocation to the Tribe under subsection (a) shall be the priority date of the Lake Elwell water right held by the Bureau of Reclamation.

(3) ADMINISTRATION.—The Tribe shall administer the water allocated under subsection (a) in accordance with the Compact and this title.

(c) ALLOCATION AGREEMENT.—

(1) IN GENERAL.—As a condition of receiving an allocation under this section, the Tribe shall enter into an agreement with the Secretary to establish the terms and conditions of the allocation, in accordance with the Compact and this title.

(2) INCLUSIONS.—The agreement under paragraph (1) shall include provisions establishing that—

(A) the agreement shall be without limit as to term;

(B) the Tribe, and not the United States, shall be entitled to all consideration due to the Tribe under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (d);

(C) the United States shall have no obligation to monitor, administer, or account for—

(i) any funds received by the Tribe as consideration under any lease, contract, or agreement entered into by the Tribe pursuant to subsection (d); or

(ii) the expenditure of those funds;

(D) if the capacity or function of Lake Elwell facilities are significantly reduced, or are anticipated to be significantly reduced, for an extended period of time, the Tribe shall have the same rights as other storage contractors with respect to the allocation under this section;

(E) the costs associated with the construction of the storage facilities at Tiber Dam allocable to the Tribe shall be nonreimbursable;

(F) no water service capital charge shall be due or payable for any water allocated to the Tribe pursuant to this section or the allocation agreement, regardless of whether that water is delivered for use by the Tribe or under a lease, contract, or by agreement entered into by the Tribe pursuant to subsection (d);

(G) the Tribe shall not be required to make payments to the United States for any water allocated to the Tribe under this title or the allocation agreement, except for each acre-foot of stored water leased or transferred for industrial purposes as described in subparagraph (H);

(H) for each acre-foot of stored water leased or transferred by the Tribe for industrial purposes—

(i) the Tribe shall pay annually to the United States an amount necessary to cover the proportional share of the annual operation, maintenance, and replacement costs allocable to the quantity of water leased or transferred by the Tribe for industrial purposes; and

(ii) the annual payments of the Tribe shall be reviewed and adjusted, as appropriate, to reflect the actual operation, maintenance, and replacement costs for Tiber Dam; and

(I) the adjustment process identified in subsection (a)(2) will be based on specific enumerated provisions.

(d) AGREEMENTS BY TRIBE.—The Tribe may use, lease, contract, exchange, or enter into other agreements for use of the water allocated to the Tribe under subsection (a), if—

(1) the use of water that is the subject of such an agreement occurs within the Missouri River Basin; and

(2) the agreement does not permanently alienate any portion of the water allocated to the Tribe under subsection (a).

(e) EFFECTIVE DATE.—The allocation under subsection (a) takes effect on the enforceability date.

(f) NO CARRYOVER STORAGE.—The allocation under subsection (a) shall not be increased by any year-to-year carryover storage.

(g) DEVELOPMENT AND DELIVERY COSTS.—The United States shall not be required to pay the cost of developing or delivering any water allocated under this section.

SEC. 9010. IRRIGATION ACTIVITIES.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation and in accordance with subsection (c), shall carry out the following actions relating to the Blackfeet Irrigation Project:

(1) Deferred maintenance.

(2) Dam safety improvements for Four Horns Dam.

(3) Rehabilitation and enhancement of the Four Horns Feeder Canal, Dam, and Reservoir.

(b) LEAD AGENCY.—The Bureau of Reclamation shall serve as the lead agency with respect to any activities carried out under this section.

(c) SCOPE OF DEFERRED MAINTENANCE ACTIVITIES AND FOUR HORNS DAM SAFETY IMPROVEMENTS.—

(1) IN GENERAL.—Subject to the conditions described in paragraph (2), the scope of the deferred maintenance activities and Four Horns Dam safety improvements shall be as generally described in—

(A) the document entitled ''Engineering Evaluation and Condition Assessment, Blackfeet Irrigation Project'', prepared by DOWL HKM, and dated August 2007; and

(B) the provisions relating to Four Horns Rehabilitated Dam of the document entitled ''Four Horns Dam Enlarged Appraisal Evaluation Design Report'', prepared by DOWL HKM, and dated April 2007.

(2) CONDITIONS.—The conditions referred to in paragraph (1) are that, before commencing construction activities, the Secretary shall—

(A) review the design of the proposed rehabilitation or improvement;

(B) perform value engineering analyses;

(C) perform appropriate Federal environmental compliance activities; and

(D) ensure that the deferred maintenance activities and dam safety improvements may be constructed using only the amounts made available under section 9018.

(d) SCOPE OF REHABILITATION AND ENHANCEMENT OF FOUR HORNS FEEDER CANAL, DAM, AND RESERVOIR.—

(1) IN GENERAL.—The scope of the rehabilitation and improvements shall be as generally described in the document entitled ''Four Horns Feeder Canal Rehabilitation with Export'', prepared by DOWL HKM, and dated April 2013, subject to the condition that, before commencing construction activities, the Secretary shall—

(A) review the design of the proposed rehabilitation or improvement;

(B) perform value engineering analyses;

(C) perform appropriate Federal environmental compliance activities; and

(D) ensure that the rehabilitation and improvements may be constructed using only the amounts made available under section 9018.

(2) INCLUSIONS.—The activities carried out by the Secretary under this subsection shall include—

(A) the rehabilitation or improvement of the Four Horns feeder canal system to a capacity of not fewer than 360 cubic feet per second;

(B) the rehabilitation or improvement of the outlet works of Four Horns Dam and Reservoir to deliver not less than 15,000 acre-feet of water per year, in accordance with subparagraph (C); and

(C) construction of facilities to deliver not less than 15,000 acre-feet of water per year from Four Horns Dam and Reservoir, to a point on or near Birch Creek to be designated by the Tribe and the State for delivery of water to the water delivery system of the Pondera County Canal and Reservoir Company on Birch Creek, in accordance with the Birch Creek Agreement.

(3) NEGOTIATION WITH TRIBE.—On the basis of the review described in paragraph (1)(A), the Secretary shall negotiate with the Tribe appropriate changes to the final design of any activity under this subsection to ensure that the final design meets applicable industry standards.

(e) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed $54,900,000, of which—

(1) $40,900,000 shall be allocated to carry out the activities described in subsection (c); and

(2) $14,000,000 shall be allocated to carry out the activities described in subsection (d)(2).

(f) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(g) NON-FEDERAL CONTRIBUTION.—No part of the project under subsection (d) shall be commenced until the State has made available $20,000,000 to carry out the activities described in subsection (d)(2).

(h) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under subsection (m), subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total project costs for each project.

(i) PROJECT EFFICIENCIES.—If the total cost of planning, design, and construction activities relating to the projects described in this section results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Tribe, may—

(1) use those cost savings to carry out a project described in section 9007(d), 9011, 9012, or 9013; or

(2) deposit those cost savings to the Blackfeet OM&R Trust Account.

(j) OWNERSHIP BY TRIBE OF BIRCH CREEK DELIVERY FACILITIES.—Notwithstanding any other provision of law, the Secretary shall transfer to the Tribe, at no cost, title in and to the facilities constructed under subsection (d)(2)(C).

(k) OWNERSHIP, OPERATION, AND MAINTENANCE.—On transfer to the Tribe of title under subsection (j), the Tribe shall—

(1) be responsible for OM&R in accordance with the Birch Creek Agreement; and

(2) enter into an agreement with the Bureau of Indian Affairs regarding the operation of the facilities described in that subsection.

(l) LIABILITY OF UNITED STATES.—The United States shall have no obligation or responsibility with respect the facilities described in subsection (d)(2)(C).

(m) APPLICABILITY OF ISDEAA.—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out this section.

(n) EFFECT.—Nothing in this section—

(1) alters any applicable law (including regulations) under which the Bureau of Indian Affairs collects assessments or carries out Blackfeet Irrigation Project OM&R; or

(2) impacts the availability of amounts made available under subsection (a)(1)(B) of section 9018.

SEC. 9011. DESIGN AND CONSTRUCTION OF MR&I SYSTEM.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall plan, design, and construct the water diversion and delivery features of the MR&I System in accordance with 1 or more agreements between the Secretary and the Tribe.

(b) LEAD AGENCY.—The Bureau of Reclamation shall serve as the lead agency with respect to any activity to design and construct the water diversion and delivery features of the MR&I System.

(c) SCOPE.—

(1) IN GENERAL.—The scope of the design and construction under this section shall be as generally described in the document entitled ''Blackfeet Regional Water System'', prepared by DOWL HKM, dated June 2010, and modified by DOWL HKM in the addendum to the report dated March 2013, subject to the condition that, before commencing final design and construction activities, the Secretary shall—

(A) review the design of the proposed rehabilitation and construction;

(B) perform value engineering analyses; and

(C) perform appropriate Federal compliance activities.

(2) NEGOTIATION WITH TRIBE.—On the basis of the review described in paragraph (1)(A), the Secretary shall negotiate with the Tribe appropriate changes, if any, to the final design—

(A) to ensure that the final design meets applicable industry standards;

(B) to improve the cost-effectiveness of the delivery of MR&I System water; and

(C) to ensure that the MR&I System may be constructed using only the amounts made available under section 9018.

(d) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(e) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed $76,200,000.

(f) NON-FEDERAL CONTRIBUTION.—

(1) CONSULTATION.—Before completion of the final design of the MR&I System required by subsection (c), the Secretary shall consult with the Tribe, the State, and other affected non-Federal parties to discuss the possibility of receiving non-Federal contributions for the cost of the MR&I System.

(2) NEGOTIATIONS.—If, based on the extent to which non-Federal parties are expected to use the MR&I System, a non-Federal contribution to the MR&I System is determined by the parties described in paragraph (1) to be appropriate, the Secretary shall initiate negotiations for an agreement regarding the means by which the contributions shall be provided.

(g) OWNERSHIP BY TRIBE.—Title to the MR&I System and all facilities rehabilitated or constructed under this section shall be held by the Tribe.

(h) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under this section, subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total costs incurred under this section.

(i) OM&R COSTS.—The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement costs for any facility rehabilitated or constructed under this section.

(j) PROJECT EFFICIENCIES.—If the total cost of planning, design, and construction activities relating to the projects described in this section results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Tribe, may—

(1) use those cost savings to carry out a project described in section 9007(d), 9010, 9011(a), 9012, or 9013; or

(2) deposit those cost savings to the Blackfeet OM&R Trust Account.

(k) APPLICABILITY OF ISDEAA.—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out this section.

SEC. 9012. DESIGN AND CONSTRUCTION OF WATER STORAGE AND IRRIGATION FACILITIES.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Commissioner of Reclamation, shall plan, design, and construct 1 or more facilities to store water and support irrigation on the Reservation in accordance with 1 or more agreements between the Secretary and the Tribe.

(b) LEAD AGENCY.—The Bureau of Reclamation shall serve as the lead agency with respect to any activity to design and construct the irrigation development and water storage facilities described in subsection (c).

(c) SCOPE.—

(1) IN GENERAL.—The scope of the design and construction under this section shall be as generally described in the document entitled ''Blackfeet Water Storage, Development, and Project Report'', prepared by DOWL HKM, and dated March 13, 2013, as modified and agreed to by the Secretary and the Tribe, subject to the condition that, before commencing final design and construction activities, the Secretary shall—

(A) review the design of the proposed construction;

(B) perform value engineering analyses; and

(C) perform appropriate Federal compliance activities.

(2) MODIFICATION.—The Secretary may modify the scope of construction for the projects described in the document referred to in paragraph (1), if—

(A) the modified project is—

(i) similar in purpose to the proposed projects; and

(ii) consistent with the purposes of this title; and

(B) the Secretary has consulted with the Tribe regarding any modification.

(3) NEGOTIATION WITH TRIBE.—On the basis of the review described in paragraph (1)(A), the Secretary shall negotiate with the Tribe appropriate changes, if any, to the final design—

(A) to ensure that the final design meets applicable industry standards;

(B) to improve the cost-effectiveness of any construction; and

(C) to ensure that the projects may be constructed using only the amounts made available under section 9018.

(d) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(e) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed $87,300,000.

(f) OWNERSHIP BY TRIBE.—Title to all facilities rehabilitated or constructed under this section shall be held by the Tribe, except that title to the Birch Creek Unit of the Blackfeet Indian Irrigation Project shall remain with the Bureau of Indian Affairs.

(g) ADMINISTRATION.—The Commissioner of Reclamation and the Tribe shall negotiate the cost of any oversight activity carried out by the Bureau of Reclamation under any agreement entered into under this section, subject to the condition that the total cost for the oversight shall not exceed 4 percent of the total costs incurred under this section.

(h) OM&R COSTS.—The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement costs for the facilities rehabilitated or constructed under this section.

(i) PROJECT EFFICIENCIES.—If the total cost of planning, design, and construction activities relating to the projects described in this section results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Tribe, may—

(1) use those cost savings to carry out a project described in section 9007(d), 9010, 9011, or 9013; or

(2) deposit those cost savings to the Blackfeet OM&R Trust Account.

(j) APPLICABILITY OF ISDEAA.—At the request of the Tribe, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into 1 or more agreements with the Tribe to carry out this section.

SEC. 9013. BLACKFEET WATER, STORAGE, AND DEVELOPMENT PROJECTS.

(a) IN GENERAL.—

(1) SCOPE.—The scope of the construction under this section shall be as generally described in the document entitled ''Blackfeet Water Storage, Development, and Project Report'', prepared by DOWL HKM, and dated March 13, 2013, as modified and agreed to by the Secretary and the Tribe.

(2) MODIFICATION.—The Tribe may modify the scope of the projects described in the document referred to in paragraph (1) if—

(A) the modified project is—

(i) similar to the proposed project; and

(ii) consistent with the purposes of this title; and

(B) the modification is approved by the Secretary.

(b) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(c) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed $91,000,000.

(d) OM&R COSTS.—The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement costs for the facilities rehabilitated or constructed under this section.

(e) OWNERSHIP BY TRIBE.—Title to any facility constructed under this section shall be held by the Tribe.

SEC. 9014. EASEMENTS AND RIGHTS-OF-WAY.

(a) TRIBAL EASEMENTS AND RIGHTS-OF-WAY.—

(1) IN GENERAL.—On request of the Secretary, the Tribe shall grant, at no cost to the United States, such easements and rights-of-way over tribal land as are necessary for the construction of the projects authorized by sections 9010 and 9011.

(2) JURISDICTION.—An easement or right-of-way granted by the Tribe pursuant to paragraph (1) shall not affect in any respect the civil or criminal jurisdiction of the Tribe over the easement or right-of-way.

(b) LANDOWNER EASEMENTS AND RIGHTS-OF-WAY.—In partial consideration for the construction activities authorized by section 9011, and as a condition of receiving service from the MR&I System, a landowner shall grant, at no cost to the United States or the Tribe, such easements and rights-of-way over the land of the landowner as may be necessary for the construction of the MR&I System.

(c) LAND ACQUIRED BY UNITED STATES OR TRIBE.—Any land acquired within the boundaries of the Reservation by the United States on behalf of the Tribe, or by the Tribe on behalf of the Tribe, in connection with achieving the purposes of this title shall be held in trust by the United States for the benefit of the Tribe.

SEC. 9015. TRIBAL WATER RIGHTS.

(a) CONFIRMATION OF TRIBAL WATER RIGHTS.—

(1) IN GENERAL.—The Tribal water rights are ratified, confirmed, and declared to be valid.

(2) USE.—Any use of the Tribal water rights shall be subject to the terms and conditions of the Compact and this title.

(3) CONFLICT.—In the event of a conflict between the Compact and this title, the provisions of this title shall control.

(b) INTENT OF CONGRESS.—It is the intent of Congress to provide to each allottee benefits that are equivalent to, or exceed, the benefits the allottees possess on the day before the date of enactment of this title, taking into consideration—

(1) the potential risks, cost, and time delay associated with litigation that would be resolved by the Compact and this title;

(2) the availability of funding under this title and from other sources;

(3) the availability of water from the Tribal water rights; and

(4) the applicability of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), and this title to protect the interests of allottees.

(c) TRUST STATUS OF TRIBAL WATER RIGHTS.—The Tribal water rights—

(1) shall be held in trust by the United States for the use and benefit of the Tribe and the allottees in accordance with this title; and

(2) shall not be subject to forfeiture or abandonment.

(d) ALLOTTEES.—

(1) APPLICABILITY OF ACT OF FEBRUARY 8, 1887.—The provisions of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), relating to the use of water for irrigation purposes shall apply to the Tribal water rights.

(2) ENTITLEMENT TO WATER.—Any entitlement to water of an allottee under Federal law shall be satisfied from the Tribal water rights.

(3) ALLOCATIONS.—An allottee shall be entitled to a just and equitable allocation of water for irrigation purposes.

(4) CLAIMS.—

(A) EXHAUSTION OF REMEDIES.—Before asserting any claim against the United States under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or any other applicable law, an allottee shall exhaust remedies available under the tribal water code or other applicable tribal law.

(B) ACTION FOR RELIEF.—After the exhaustion of all remedies available under the tribal water code or other applicable tribal law, an allottee may seek relief under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or other applicable law.

(5) AUTHORITY OF SECRETARY.—The Secretary shall have the authority to protect the rights of allottees in accordance with this section.

(e) AUTHORITY OF TRIBE.—

(1) IN GENERAL.—The Tribe shall have the authority to allocate, distribute, and lease the Tribal water rights for any use on the Reservation in accordance with the Compact, this title, and applicable Federal law.

(2) OFF-RESERVATION USE.—The Tribe may allocate, distribute, and lease the Tribal water rights for off-Reservation use in accordance with the Compact, subject to the approval of the Secretary.

(3) LAND LEASES BY ALLOTTEES.—Notwithstanding paragraph (1), an allottee may lease any interest in land held by the allottee, together with any water right determined to be appurtenant to the interest in land, in accordance with the tribal water code.

(f) TRIBAL WATER CODE.—

(1) IN GENERAL.—Notwithstanding article IV.C.1 of the Compact, not later than 4 years after the date on which the Tribe ratifies the Compact in accordance with this title, the Tribe shall enact a tribal water code that provides for—

(A) the management, regulation, and governance of all uses of the Tribal water rights in accordance with the Compact and this title; and

(B) establishment by the Tribe of conditions, permit requirements, and other requirements for the allocation, distribution, or use of the Tribal water rights in accordance with the Compact and this title.

(2) INCLUSIONS.—Subject to the approval of the Secretary, the tribal water code shall provide—

(A) that use of water by allottees shall be satisfied with water from the Tribal water rights;

(B) a process by which an allottee may request that the Tribe provide water for irrigation use in accordance with this title, including the provision of water under any allottee lease under section 4 of the Act of June 25, 1910 (25 U.S.C. 403);

(C) a due process system for the consideration and determination by the Tribe of any request by an allottee (or a successor in interest to an allottee) for an allocation of water for irrigation purposes on allotted land, including a process for—

(i) appeal and adjudication of any denied or disputed distribution of water; and

(ii) resolution of any contested administrative decision; and

(D) a requirement that any allottee asserting a claim relating to the enforcement of rights of the allottee under the tribal water code, or to the quantity of water allocated to land of the allottee, shall exhaust all remedies available to the allottee under tribal law before initiating an action against the United States or petitioning the Secretary pursuant to subsection (d)(4)(B).

(3) ACTION BY SECRETARY.—

(A) IN GENERAL.—During the period beginning on the date of enactment of this title and ending on the date on which a tribal water code described in paragraphs (1) and (2) is enacted, the Secretary shall administer, with respect to the rights of allottees, the Tribal water rights in accordance with this title.

(B) APPROVAL.—The tribal water code described in paragraphs (1) and (2) shall not be valid unless—

(i) the provisions of the tribal water code required by paragraph (2) are approved by the Secretary; and

(ii) each amendment to the tribal water code that affects a right of an allottee is approved by the Secretary.

(C) APPROVAL PERIOD.—

(i) IN GENERAL.—The Secretary shall approve or disapprove the tribal water code or an amendment to the tribal water code not later than 180 days after the date on which the tribal water code or amendment is submitted to the Secretary.

(ii) EXTENSION.—The deadline described in clause (i) may be extended by the Secretary after consultation with the Tribe.

(g) ADMINISTRATION.—

(1) NO ALIENATION.—The Tribe shall not permanently alienate any portion of the Tribal water rights.

(2) PURCHASES OR GRANTS OF LAND FROM INDIANS.—An authorization provided by this title for the allocation, distribution, leasing, or other arrangement entered into pursuant to this title shall be considered to satisfy any requirement for authorization of the action by treaty or convention imposed by section 2116 of the Revised Statutes (25 U.S.C. 177).

(3) PROHIBITION ON FORFEITURE.—The nonuse of all or any portion of the Tribal water rights by a lessee or contractor shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the Tribal water rights.

(h) EFFECT.—Except as otherwise expressly provided in this section, nothing in this title—

(1) authorizes any action by an allottee against any individual or entity, or against the Tribe, under Federal, State, tribal, or local law; or

(2) alters or affects the status of any action brought pursuant to section 1491(a) of title 28, United States Code.

SEC. 9016. BLACKFEET SETTLEMENT TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund, to be known as the ''Blackfeet Settlement Trust Fund'' (referred to in this section as the ''Trust Fund''), to be managed, invested, and distributed by the Secretary and to remain available until expended, consisting of the amounts deposited in the Trust Fund under subsection (c), together with any interest earned on those amounts, for the purpose of carrying out this title.

(b) ACCOUNTS.—The Secretary shall establish in the Trust Fund the following accounts:

(1) The Administration and Energy Account.

(2) The OM&R Account.

(3) The St. Mary Account.

(4) The Blackfeet Water, Storage, and Development Projects Account.

(c) DEPOSITS.—The Secretary shall deposit in the Trust Fund—

(1) in the Administration and Energy Account, the amount made available pursuant to section 9018(a)(1)(A);

(2) in the OM&R Account, the amount made available pursuant to section 9018(a)(1)(B);

(3) in the St. Mary Account, the amount made available pursuant to section 9018(a)(1)(C); and

(4) in the Blackfeet Water, Storage, and Development Projects Account, the amount made available pursuant to section 9018(a)(1)(D).

(d) MANAGEMENT.—The Secretary shall manage, invest, and distribute all amounts in the Trust Fund in a manner that is consistent with the investment authority of the Secretary under—

(1) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(2) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(3) this section.

(e) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts appropriated to, and deposited in, the Trust Fund, including any investment earnings, shall be made available to the Tribe by the Secretary beginning on the enforceability date.

(2) FUNDING FOR TRIBAL IMPLEMENTATION ACTIVITIES.—Notwithstanding paragraph (1), on approval pursuant to this title and the Compact by a referendum vote of a majority of votes cast by members of the Tribe on the day of the vote, as certified by the Secretary and the Tribe and subject to the availability of appropriations, of the amounts in the Administration and Energy Account, $4,800,000 shall be made available to the Tribe for the implementation of this title.

(f) WITHDRAWALS UNDER AIFRMRA.—

(1) IN GENERAL.—The Tribe may withdraw any portion of the funds in the Trust Fund

on approval by the Secretary of a tribal management plan submitted by the Tribe in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(2) REQUIREMENTS.—

(A) IN GENERAL.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the tribal management plan under paragraph (1) shall require that the Tribe shall spend all amounts withdrawn from the Trust Fund in accordance with this title.

(B) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce the tribal management plan to ensure that amounts withdrawn by the Tribe from the Trust Fund under this subsection are used in accordance with this title.

(g) WITHDRAWALS UNDER EXPENDITURE PLAN.—

(1) IN GENERAL.—The Tribe may submit to the Secretary a request to withdraw funds from the Trust Fund pursuant to an approved expenditure plan.

(2) REQUIREMENTS.—To be eligible to withdraw funds under an expenditure plan under paragraph (1), the Tribe shall submit to the Secretary for approval an expenditure plan for any portion of the Trust Fund that the Tribe elects to withdraw pursuant to this subsection, subject to the condition that the funds shall be used for the purposes described in this title.

(3) INCLUSIONS.—An expenditure plan under this subsection shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Trust Fund will be used by the Tribe, in accordance with subsection (h).

(4) APPROVAL.—On receipt of an expenditure plan under this subsection, the Secretary shall approve the plan, if the Secretary determines that the plan—

(A) is reasonable; and

(B) is consistent with, and will be used for, the purposes of this title.

(5) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan to ensure that amounts disbursed under this subsection are used in accordance with this title.

(h) USES.—Amounts from the Trust Fund shall be used by the Tribe for the following purposes:

(1) The Administration and Energy Account shall be used for administration of the Tribal water rights and energy development projects under this title and the Compact.

(2) The OM&R Account shall be used to assist the Tribe in paying OM&R costs.

(3) The St. Mary Account shall be distributed pursuant to an expenditure plan approved under subsection (g), subject to the conditions that—

(A) during the period for which the amount is available and held by the Secretary, $500,000 shall be distributed to the Tribe annually as compensation for the deferral of the St. Mary water right; and

(B) any additional amounts deposited in the account may be withdrawn and used by the Tribe to pay OM&R costs or other expenses for 1 or more projects to benefit the Tribe, as approved by the Secretary, subject to the requirement that the Secretary shall not approve an expenditure plan under this paragraph unless the Tribe provides a resolution of the tribal council—

(i) approving the withdrawal of the funds from the account; and

(ii) acknowledging that the Secretary will not be able to distribute funds under subparagraph (A) indefinitely if the principal funds in the account are reduced.

(4) The Blackfeet Water, Storage, and Development Projects Account shall be used to carry out section 9013.

(i) LIABILITY.—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure or investment of any amounts withdrawn from the Trust Fund by the Tribe under subsection (f) or (g).

(j) NO PER CAPITA DISTRIBUTIONS.—No portion of the Trust Fund shall be distributed on a per capita basis to any member of the Tribe.

(k) DEPOSIT OF FUNDS.—On request by the Tribe, the Secretary may deposit amounts from an account described in paragraph (1), (2), or (4) of subsection (b) to any other account the Secretary determines to be appropriate.

SEC. 9017. BLACKFEET WATER SETTLEMENT IMPLEMENTATION FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a nontrust, interest-bearing account, to be known as the ''Blackfeet Water Settlement Implementation Fund'' (referred to in this section as the ''Implementation Fund''), to be managed and distributed by the Secretary, for use by the Secretary for carrying out this title.

(b) ACCOUNTS.—The Secretary shall establish in the Implementation Fund the following accounts:

(1) The MR&I System, Irrigation, and Water Storage Account.

(2) The Blackfeet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improvements Account.

(3) The St. Mary/Milk Water Management and Activities Fund.

(c) DEPOSITS.—The Secretary shall deposit in the Implementation Fund—

(1) in the MR&I System, Irrigation, and Water Storage Account, the amount made available pursuant to section 9018(a)(2)(A);

(2) in the Blackfeet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improvements Account, the amount made available pursuant to section 9018(a)(2)(B); and

(3) in the St. Mary/Milk Water Management and Activities Fund, the amount made available pursuant to section 9018(a)(2)(C).

(d) USES.—

(1) MR&I SYSTEM, IRRIGATION, AND WATER STORAGE ACCOUNT.—The MR&I System, Irrigation, and Water Storage Account shall be used to carry out sections 9011 and 9012.

(2) BLACKFEET IRRIGATION PROJECT DEFERRED MAINTENANCE AND FOUR HORNS DAM SAFETY IMPROVEMENTS ACCOUNT.—The Blackfeet Irrigation Project Deferred Maintenance and Four Horns Dam Safety Improvements Account shall be used to carry out section 9010.

(3) ST. MARY/MILK WATER MANAGEMENT AND ACTIVITIES ACCOUNT.—The St. Mary/Milk Water Management and Activities Account shall be used to carry out sections 9005 and 9007.

(e) MANAGEMENT.—Amounts in the Implementation Fund shall not be available to the Secretary for expenditure until the enforceability date.

SEC. 9018. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subject to subsection (b), there are authorized to be appropriated to the Secretary—

(1) as adjusted on appropriation to reflect changes since April 2010 in the Consumer Price Index for All Urban Consumers West Urban 50,000 to 1,500,000 index for the amount appropriated—

(A) for deposit in the Administration and Energy Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(1), $28,900,000;

(B) for deposit in the OM&R Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(2), $27,760,000;

(C) for deposit in the St. Mary Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(3), $27,800,000; and

(D) for deposit in the Blackfeet Water, Storage, and Development Projects Account of the Blackfeet Settlement Trust Fund established under section 9016(b)(4), $91,000,000; and

(2) as adjusted annually to reflect changes since April 2010 in the Bureau of Reclamation Construction Cost Trends Index applicable to the types of construction involved—

(A) for deposit in the MR&I System, Irrigation, and Water Storage Account of the Blackfeet Water Settlement Implementation Fund established under section 9017(b)(1), $163,500,000;

(B) for deposit in the Blackfeet Irrigation Project Deferred Maintenance, Four Horns Dam Safety, and Rehabilitation and Enhancement of the Four Horns Feeder Canal, Dam, and Reservoir Improvements Account of the Blackfeet Water Settlement Implementation Fund established under section 9017(b)(2), $54,900,000, of which—

(i) $40,900,000 shall be made available for activities and projects under section 9010(c); and

(ii) $14,000,000 shall be made available for activities and projects under section 9010(d)(2); and

(C) for deposit in the St. Mary/Milk Water Management and Activities Account of the Blackfeet Water Settlement Implementation Fund established under section 9017(b)(3), $28,100,000, of which—

(i) $27,600,000 shall be allocated in accordance with section 9007(g); and

(ii) $500,000 shall be used to carry out section 9005.

(b) ADJUSTMENTS.—

(1) IN GENERAL.—The adjustment of the amounts authorized to be appropriated pursuant to subsection (a)(1) shall occur each time an amount is appropriated for an account and shall add to, or subtract from, as applicable, the total amount authorized.

(2) REPETITION.—The adjustment process under this subsection shall be repeated for each subsequent amount appropriated until the amount authorized, as adjusted, has been appropriated.

(3) TREATMENT.—The amount of an adjustment may be considered—

(A) to be authorized as of the date on which congressional action occurs; and

(B) in determining the amount authorized to be appropriated.

SEC. 9019. WATER RIGHTS IN LEWIS AND CLARK NATIONAL FOREST AND GLACIER NATIONAL PARK.

The instream flow water rights of the Tribe on land within the Lewis and Clark National Forest and Glacier National Park—

(1) are confirmed; and

(2) shall be as described in the document entitled ''Stipulation to Address Claims by and for the Benefit of the Blackfeet Indian Tribe to Water Rights in the Lewis & Clark National Forest and Glacier National Park'', and as finally decreed by the Montana Water Court, or, if the Montana Water Court is found to lack jurisdiction, by the United States district court with jurisdiction.

SEC. 9020. WAIVERS AND RELEASES OF CLAIMS.

(a) IN GENERAL.—

(1) WAIVER AND RELEASE OF CLAIMS BY TRIBE AND UNITED STATES AS TRUSTEE FOR TRIBE.—Subject to the reservation of rights and retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits as described in the Compact and this title, the Tribe, acting on behalf of the Tribe and members of

the Tribe (but not any member of the Tribe as an allottee), and the United States, acting as trustee for the Tribe and the members of the Tribe (but not any member of the Tribe as an allottee), shall execute a waiver and release of all claims for water rights within the State that the Tribe, or the United States acting as trustee for the Tribe, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this title.

(2) WAIVER AND RELEASE OF CLAIMS BY UNITED STATES AS TRUSTEE FOR ALLOTTEES.—Subject to the reservation of rights and the retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits as described in the Compact and this title, the United States, acting as trustee for allottees, shall execute a waiver and release of all claims for water rights within the Reservation that the United States, acting as trustee for the allottees, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this title.

(3) WAIVER AND RELEASE OF CLAIMS BY TRIBE AGAINST UNITED STATES.—Subject to the reservation of rights and retention of claims under subsection (d), the Tribe, acting on behalf of the Tribe and members of the Tribe (but not any member of the Tribe as an allottee), shall execute a waiver and release of all claims against the United States (including any agency or employee of the United States)—

(A) relating to—

(i) water rights within the State that the United States, acting as trustee for the Tribe, asserted or could have asserted in any proceeding, including a stream adjudication in the State, except to the extent that such rights are recognized as Tribal water rights under this title;

(ii) damage, loss, or injury to water, water rights, land, or natural resources due to loss of water or water rights (including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion, or taking of water, or claims relating to failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the State that first accrued at any time on or before the enforceability date;

(iii) a failure to establish or provide a municipal rural or industrial water delivery system on the Reservation;

(iv) a failure to provide for operation or maintenance, or deferred maintenance, for the Blackfeet Irrigation Project or any other irrigation system or irrigation project on the Reservation;

(v) the litigation of claims relating to the water rights of the Tribe in the State; and

(vi) the negotiation, execution, or adoption of the Compact (including exhibits) or this title;

(B) reserved in subsections (b) through (d) of section 6 of the settlement for the case styled Blackfeet Tribe v. United States, No. 02–127L (Fed. Cl. 2012); and

(C) that first accrued at any time on or before the enforceability date—

(i) arising from the taking or acquisition of the land of the Tribe or resources for the construction of the features of the St. Mary Unit of the Milk River Project;

(ii) relating to the construction, operation, and maintenance of the St. Mary Unit of the Milk River Project, including Sherburne Dam, St. Mary Diversion Dam, St. Mary Canal and associated infrastructure, and the management of flows in Swiftcurrent Creek, including the diversion of Swiftcurrent Creek into Lower St. Mary Lake;

(iii) relating to the construction, operation, and management of Lower Two Medicine Dam and Reservoir and Four Horns Dam and Reservoir, including any claim relating to the failure to provide dam safety improvements for Four Horns Reservoir; or

(iv) relating to the allocation of waters of the Milk River and St. Mary River (including tributaries) between the United States and Canada pursuant to the International Boundary Waters Treaty of 1909 (36 Stat. 2448).

(b) EFFECTIVENESS.—The waivers and releases under subsection (a) shall take effect on the enforceability date.

(c) WITHDRAWAL OF OBJECTIONS.—The Tribe shall withdraw all objections to the water rights claims filed by the United States for the benefit of the Milk River Project, except objections to those claims consolidated for adjudication within Basin 40J, within 14 days of the certification under subsection (f)(5) that the Tribal membership has approved the Compact and this title.

(1) Prior to withdrawal of the objections, the Tribe may seek leave of the Montana Water Court for a right to reinstate the objections in the event the conditions of enforceability in paragraphs (1) through (8) of subsection (f) are not satisfied by the date of expiration described in section 9023 of this title.

(2) If the conditions of enforceability in paragraphs (1) through (8) of subsection (f) are satisfied, and any authority the Montana Water Court may have granted the Tribe to reinstate objections described in this section has not yet expired, the Tribe shall notify the Montana Water Court and the United States in writing that it will not exercise any such authority.

(d) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.—Notwithstanding the waivers and releases under subsection (a), the Tribe, acting on behalf of the Tribe and members of the Tribe, and the United States, acting as trustee for the Tribe and allottees, shall retain—

(1) all claims relating to—

(A) enforcement of, or claims accruing after the enforceability date relating to water rights recognized under, the Compact, any final decree, or this title;

(B) activities affecting the quality of water, including any claim under—

(i) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including damages to natural resources;

(ii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the ''Clean Water Act''); and

(iv) any regulations implementing the Acts described in clauses (i) through (iii); or

(C) damage, loss, or injury to land or natural resources that are not due to loss of water or water rights (including hunting, fishing, gathering, or cultural rights);

(2) all rights to use and protect water rights acquired after the date of enactment of this title; and

(3) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this title or the Compact.

(e) EFFECT OF COMPACT AND ACT.—Nothing in the Compact or this title—

(1) affects the ability of the United States, acting as a sovereign, to take any action authorized by law (including any law relating to health, safety, or the environment), including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the ''Clean Water Act''); and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(2) affects the ability of the United States to act as trustee for any other Indian tribe or allottee of any other Indian tribe;

(3) confers jurisdiction on any State court—

(A) to interpret Federal law regarding health, safety, or the environment;

(B) to determine the duties of the United States or any other party pursuant to a Federal law regarding health, safety, or the environment; or

(C) to conduct judicial review of a Federal agency action;

(4) waives any claim of a member of the Tribe in an individual capacity that does not derive from a right of the Tribe;

(5) revives any claim waived by the Tribe in the case styled Blackfeet Tribe v. United States, No. 02–127L (Fed. Cl. 2012); or

(6) revives any claim released by an allottee or a tribal member in the settlement for the case styled Cobell v. Salazar, No. 1:96CV01285–JR (D.D.C. 2012).

(f) ENFORCEABILITY DATE.—The enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1)(A) the Montana Water Court has approved the Compact, and that decision has become final and nonappealable; or

(B) if the Montana Water Court is found to lack jurisdiction, the appropriate United States district court has approved the Compact, and that decision has become final and nonappealable;

(2) all amounts authorized under section 9018(a) have been appropriated;

(3) the agreements required by sections 9006(c), 9007(f), and 9009(c) have been executed;

(4) the State has appropriated and paid into an interest-bearing escrow account any payments due as of the date of enactment of this title to the Tribe under the Compact, the Birch Creek Agreement, and this title;

(5) the members of the Tribe have voted to approve this title and the Compact by a majority of votes cast on the day of the vote, as certified by the Secretary and the Tribe;

(6) the Secretary has fulfilled the requirements of section 9009(a);

(7) the agreement or terms and conditions referred to in section 9005 are executed and final; and

(8) the waivers and releases described in subsection (a) have been executed by the Tribe and the Secretary.

(g) TOLLING OF CLAIMS.—

(1) IN GENERAL.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled during the period beginning on the date of enactment of this title and ending on the date on which the amounts made available to carry out this title are transferred to the Secretary.

(2) EFFECT OF SUBSECTION.—Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this title.

(h) EXPIRATION.—If all appropriations authorized by this title have not been made available to the Secretary by January 21, 2026, the waivers and releases described in this section shall—

(1) expire; and

(2) have no further force or effect.

(i) VOIDING OF WAIVERS.—If the waivers and releases described in this section are void under subsection (h)—

(1) the approval of the United States of the Compact under section 9004 shall no longer be effective;

(2) any unexpended Federal funds appropriated or made available to carry out the activities authorized by this title, together with any interest earned on those funds, and any water rights or contracts to use water and title to other property acquired or constructed with Federal funds appropriated or made available to carry out the activities authorized under this title shall be returned to the Federal Government, unless otherwise agreed to by the Tribe and the United States and approved by Congress; and

(3) except for Federal funds used to acquire or develop property that is returned to the Federal Government under paragraph (2), the United States shall be entitled to offset any Federal funds appropriated or made available to carry out the activities authorized under this title that were expended or withdrawn, together with any interest accrued, against any claims against the United States relating to water rights in the State asserted by the Tribe or any user of the Tribal water rights or in any future settlement of the water rights of the Tribe or an allottee.

SEC. 9021. SATISFACTION OF CLAIMS.

(a) TRIBAL CLAIMS.—The benefits realized by the Tribe under this title shall be in complete replacement of, complete substitution for, and full satisfaction of all—

(1) claims of the Tribe against the United States waived and released pursuant to section 9020(a); and

(2) objections withdrawn pursuant to section 9020(c).

(b) ALLOTTEE CLAIMS.—The benefits realized by the allottees under this title shall be in complete replacement of, complete substitution for, and full satisfaction of—

(1) all claims waived and released pursuant to section 9020(a)(2); and

(2) any claim of an allottee against the United States similar in nature to a claim described in section 9020(a)(2) that the allottee asserted or could have asserted.

SEC. 9022. MISCELLANEOUS PROVISIONS.

(a) WAIVER OF SOVEREIGN IMMUNITY.—Except as provided in subsections (a) through (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666), nothing in this title waives the sovereign immunity of the United States.

(b) OTHER TRIBES NOT ADVERSELY AFFECTED.—Nothing in this title quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian tribe, band, or community other than the Tribe.

(c) LIMITATION ON CLAIMS FOR REIMBURSEMENT.—With respect to any Indian-owned land located within the Reservation—

(1) the United States shall not submit against that land any claim for reimbursement of the cost to the United States of carrying out this title or the Compact; and

(2) no assessment of that land shall be made regarding that cost.

(d) LIMITATION ON LIABILITY OF UNITED STATES.—

(1) IN GENERAL.—The United States has no obligation—

(A) to monitor, administer, or account for, in any manner, any funds provided to the Tribe by the State; or

(B) to review or approve any expenditure of those funds.

(2) INDEMNITY.—The Tribe shall indemnify the United States, and hold the United States harmless, with respect to all claims (including claims for takings or breach of trust) arising from the receipt or expenditure of amounts described in the subsection.

(e) EFFECT ON CURRENT LAW.—Nothing in this section affects any provision of law (including regulations) in effect on the day before the date of enactment of this title with respect to preenforcement review of any Federal environmental enforcement action.

(f) EFFECT ON RECLAMATION LAWS.—The activities carried out by the Commissioner of Reclamation under this title shall not establish a precedent or impact the authority provided under any other provision of the reclamation laws, including—

(1) the Reclamation Rural Water Supply Act of 2006 (43 U.S.C. 2401 et seq.); and

(2) the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991).

(g) IRRIGATION EFFICIENCY IN UPPER BIRCH CREEK DRAINAGE.—Any activity carried out by the Tribe in the Upper Birch Creek Drainage (as defined in article II.50 of the Compact) using funds made available to carry out this title shall achieve an irrigation efficiency of not less than 50 percent.

(h) BIRCH CREEK AGREEMENT APPROVAL.—The Birch Creek Agreement is approved to the extent that the Birch Creek Agreement requires approval under section 2116 of the Revised Statutes (25 U.S.C. 177).

(i) LIMITATION ON EFFECT.—Nothing in this title or the Compact—

(1) makes an allocation or apportionment of water between or among States; or

(2) addresses or implies whether, how, or to what extent the Tribal water rights, or any portion of the Tribal water rights, should be accounted for as part of, or otherwise charged against, an allocation or apportionment of water made to a State in an interstate allocation or apportionment.

SEC. 9023. EXPIRATION ON FAILURE TO MEET ENFORCEABILITY DATE.

If the Secretary fails to publish a statement of findings under section 9020(f) by not later than January 21, 2025, or such alternative later date as is agreed to by the Tribe and the Secretary, after reasonable notice to the State, as applicable—

(1) this title expires effective on the later of—

(A) January 22, 2025; and

(B) the day after such alternative later date as is agreed to by the Tribe and the Secretary;

(2) any action taken by the Secretary and any contract or agreement entered into pursuant to this title shall be void;

(3) any amounts made available under section 9018, together with any interest on those amounts, that remain unexpended shall immediately revert to the general fund of the Treasury, except for any funds made available under section 9016(e)(2) if the Montana Water Court denies the Tribe's request to reinstate the objections in section 9020(c); and

(4) the United States shall be entitled to offset against any claims asserted by the Tribe against the United States relating to water rights—

(A) any funds expended or withdrawn from the amounts made available pursuant to this title; and

(B) any funds made available to carry out the activities authorized by this title from other authorized sources, except for any funds provided under section 9016(e)(2) if the Montana Water court denies the Tribe's request to reinstate the objections in section 9020(c).

SEC. 9024. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this title (including any obligation or activity under the Compact) if—

(1) adequate appropriations are not provided expressly by Congress to carry out the purposes of this title; or

(2) there are not enough monies available to carry out the purposes of this title in the Reclamation Water Settlements Fund established under section 10501(a) of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407(a)).

SEC. 9025. OFFSETS.

If insufficient funds are appropriated to carry out this title for a fiscal year, the Secretary may use to carry out this title such amounts as are necessary from other amounts made available to the Secretary for that fiscal year that are not otherwise obligated.

SA 5042. Mr. INHOFE (for himself and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike titles I through VIII and insert the following:

TITLE I—PROGRAM REFORMS

SEC. 1001. STUDY OF WATER RESOURCES DEVELOPMENT PROJECTS BY NON-FEDERAL INTERESTS.

Section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) is amended by adding at the end the following:

''(e) TECHNICAL ASSISTANCE.—On the request of a non-Federal interest, the Secretary may provide technical assistance relating to any aspect of the feasibility study if the non-Federal interest contracts with the Secretary to pay all costs of providing the technical assistance.''.

SEC. 1002. ADVANCED FUNDS FOR WATER RESOURCES DEVELOPMENT STUDIES AND PROJECTS.

The Act of October 15, 1940 (33 U.S.C. 701h–1), is amended—

(1) in the first sentence—

(A) by striking ''Whenever any'' and inserting the following:

''(a) IN GENERAL.—Whenever any'';

(B) by striking ''a flood-control project duly adopted and authorized by law'' and inserting ''an authorized water resources development study or project,''; and

(C) by striking ''such work'' and inserting ''such study or project'';

(2) in the second sentence—

(A) by striking ''The Secretary of the Army'' and inserting the following:

''(b) REPAYMENT.—The Secretary of the Army''; and

(B) by striking ''from appropriations which may be provided by Congress for flood-control work'' and inserting ''if specific appropriations are provided by Congress for such purpose''; and

(3) by adding at the end the following:

''(c) DEFINITION OF STATE.—In this section, the term 'State' means—

''(1) a State;

''(2) the District of Columbia;

''(3) the Commonwealth of Puerto Rico;

''(4) any other territory or possession of the United States; and

''(5) a federally recognized Indian tribe or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).''.

SEC. 1003. AUTHORITY TO ACCEPT AND USE MATERIALS AND SERVICES.

Section 1024 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2325a) is amended—

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

''(a) IN GENERAL.—Subject to subsection (b), the Secretary is authorized to accept and use materials, services, or funds contributed by a non-Federal public entity, a nonprofit entity, or a private entity to repair, restore, replace, or maintain a water resources project in any case in which the District Commander determines that—

''(1) there is a risk of adverse impacts to the functioning of the project for the authorized purposes of the project; and

''(2) acceptance of the materials and services or funds is in the public interest.''; and

(2) in subsection (c), in the matter preceding paragraph (1)—

(A) by striking ''Not later than 60 days after initiating an activity under this section,'' and inserting ''Not later than February 1 of each year after the first fiscal year in which materials, services, or funds are accepted under this section,''; and

(B) by striking ''a report'' and inserting ''an annual report''.

SEC. 1004. PARTNERSHIPS WITH NON-FEDERAL ENTITIES TO PROTECT THE FEDERAL INVESTMENT.

(a) IN GENERAL.—Subject to subsection (c), the Secretary is authorized to partner with a non-Federal interest for the maintenance of a water resources project to ensure that the project will continue to function for the authorized purposes of the project.

(b) FORM OF PARTNERSHIP.—Under a partnership referred to in subsection (a), the Secretary is authorized to accept and use funds, materials, and services contributed by the non-Federal interest.

(c) NO CREDIT OR REIMBURSEMENT.—Any entity that contributes materials, services, or funds under this section shall not be eligible for credit, reimbursement, or repayment for the value of those materials, services, or funds.

SEC. 1005. NON-FEDERAL STUDY AND CONSTRUCTION OF PROJECTS.

(a) IN GENERAL.—The Secretary may accept and expend funds provided by non-Federal interests to undertake reviews, inspections, monitoring, and other Federal activities related to non-Federal interests carrying out the study, design, or construction of water resources development projects under section 203 or 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2231, 2232) or any other Federal law.

(b) INCLUSION IN COSTS.—In determining credit or reimbursement, the Secretary may include the amount of funds provided by a non-Federal interest under this section as a cost of the study, design, or construction.

SEC. 1006. MUNITIONS DISPOSAL.

Section 1027 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 426e–2) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting '', at full Federal expense,'' after ''The Secretary may''; and

(2) in subsection (b), by striking ''funded'' and inserting ''reimbursed''.

SEC. 1007. CHALLENGE COST-SHARING PROGRAM FOR MANAGEMENT OF RECREATION FACILITIES.

Section 225 of the Water Resources Development Act of 1992 (33 U.S.C. 2328) is amended—

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

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

''(c) USER FEES.—

''(1) COLLECTION OF FEES.—

''(A) IN GENERAL.—The Secretary may allow a non-Federal public or private entity that has entered into an agreement pursuant to subsection (b) to collect user fees for the use of developed recreation sites and facilities, whether developed or constructed by that entity or the Department of the Army.

''(B) USE OF VISITOR RESERVATION SERVICES.—A public or private entity described in subparagraph (A) may use to manage fee collections and reservations under this section any visitor reservation service that the Secretary has provided for by contract or interagency agreement, subject to such terms and conditions as the Secretary determines to be appropriate.

''(2) USE OF FEES.—A non-Federal public or private entity that collects user fees under paragraph (1) may—

''(A) retain up to 100 percent of the fees collected, as determined by the Secretary; and

''(B) notwithstanding section 210(b)(4) of the Flood Control Act of 1968 (16 U.S.C. 460d–3(b)(4)), use that amount for operation, maintenance, and management at the recreation site at which the fee is collected.

''(3) TERMS AND CONDITIONS.—The authority of a non-Federal public or private entity under this subsection shall be subject to such terms and conditions as the Secretary determines necessary to protect the interests of the United States.''.

SEC. 1008. STRUCTURES AND FACILITIES CONSTRUCTED BY THE SECRETARY.

Section 14 of the Act of March 3, 1899 (33 U.S.C. 408) (commonly known as the ''Rivers and Harbors Act of 1899''), is amended—

(1) by striking ''That it shall not be lawful'' and inserting the following:

''(a) PROHIBITIONS AND PERMISSIONS.—It shall not be lawful''; and

(2) by adding at the end the following:

''(b) CONCURRENT REVIEW.—

''(1) NEPA REVIEW.—

''(A) IN GENERAL.—In any case in which an activity subject to this section requires a review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), review and approval under this section shall, to the maximum extent practicable, occur concurrently with any review and decisions made under that Act.

''(B) CORPS OF ENGINEERS AS A COOPERATING AGENCY.—If the Corps of Engineers is not the lead Federal agency for an environmental review described in subparagraph (A), the Chief of Engineers shall, to the maximum extent practicable—

''(i) participate in the review as a cooperating agency (unless the Chief of Engineers does not intend to submit comments on the project); and

''(ii) adopt and use any environmental document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) by the lead agency to the same extent that a Federal agency could adopt or use a document prepared by another Federal agency under—

''(I) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

''(II) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

''(2) REVIEWS BY SECRETARY.—In any case in which the Secretary of the Army is required to approve an action under this section and under another authority, including sections 9 and 10 of this Act, section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), and section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413), the Secretary shall—

''(A) coordinate the reviews and, to the maximum extent practicable, carry out the reviews concurrently; and

''(B) adopt and use any document prepared by the Corps of Engineers for the purpose of complying with the same law and that addresses the same types of impacts in the same geographic area if the document, as determined by the Secretary, is current and applicable.

''(3) CONTRIBUTED FUNDS.—The Secretary of the Army may accept and expend funds received from non-Federal public or private entities to evaluate under this section an alteration or permanent occupation or use of a work built by the United States.''.

SEC. 1009. PROJECT COMPLETION.

For any project authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835), the authorization of appropriations is increased by the amount, including in increments, necessary to allow completion of the project if—

(1) as of the date of enactment of this Act, the project has received more than $4,000,000 in Federal appropriations and those appropriations equal an amount that is greater than 80 percent of the authorized amount;

(2) significant progress has been demonstrated toward completion of the project or segments of the project but the project is not complete as of the date of enactment of this Act; and

(3) the benefits of the Federal investment will not be realized without an increase in the authorization of appropriations to allow completion of the project.

SEC. 1010. CONTRIBUTED FUNDS.

(a) CONTRIBUTED FUNDS.—Section 5 of the Act of June 22, 1936 (33 U.S.C. 701h) (commonly known as the ''Flood Control Act of 1936''), is amended—

(1) by striking ''funds appropriated by the United States for''; and

(2) in the first proviso, by inserting after ''authorized purposes of the project:'' the following: ''*Provided further*, That the Secretary may receive and expend funds from a State or a political subdivision of a State and other non-Federal interests to formulate, review, or revise, consistent with authorized project purposes, operational documents for any reservoir owned and operated by the Secretary (other than reservoirs in the Upper Missouri River, the Apalachicola-Chattahoochee-Flint River system, the Alabama-Coosa-Tallapoosa River system, and the Stones River):''

(b) REPORT.—Section 1015 of the Water Resources Reform and Development Act of 2014 is amended by striking subsection (b) (33 U.S.C. 701h note; Public Law 113–121) and inserting the following:

''(b) REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives a report that—

''(1) describes the number of agreements executed in the previous fiscal year for the acceptance of contributed funds under section 5 of the Act of June 22, 1936 (33 U.S.C. 701h) (commonly known as the 'Flood Control Act of 1936'); and

''(2) includes information on the projects and amounts of contributed funds referred to in paragraph (1).''.

SEC. 1011. APPLICATION OF CERTAIN BENEFITS AND COSTS INCLUDED IN FINAL FEASIBILITY STUDIES.

(a) IN GENERAL.—For a navigation project authorized after November 7, 2007, involving offshore oil and gas fabrication ports, the recommended plan by the Chief of Engineers shall be the plan that uses the value of future energy exploration and production fabrication contracts and the transportation savings that would result from a larger navigation channel in accordance with section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on

Terror, and Tsunami Relief, 2005 (Public Law 109–13; 119 Stat. 282).

(b) SPECIAL RULE.—In addition to projects described in subsection (a), this section shall apply to—

(1) a project that has undergone an economic benefits update; and

(2) at the request of the non-Federal sponsor, any ongoing feasibility study for which the benefits under section 6009 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13; 119 Stat. 282) may apply.

SEC. 1012. LEVERAGING FEDERAL INFRASTRUCTURE FOR INCREASED WATER SUPPLY.

(a) IN GENERAL.—At the request of a non-Federal interest, the Secretary may review proposals to increase the quantity of available supplies of water at Federal water resources projects through—

(1) modification of a water resources project;

(2) modification of how a project is managed; or

(3) accessing water released from a project.

(b) PROPOSALS INCLUDED.—A proposal under subsection (a) may include—

(1) increasing the storage capacity of the project;

(2) diversion of water released or withdrawn from the project—

(A) to recharge groundwater;

(B) to aquifer storage and recovery; or

(C) to any other storage facility;

(3) construction of facilities for delivery of water from pumping stations constructed by the Secretary;

(4) construction of facilities to access water; and

(5) a combination of the activities described in paragraphs (1) through (4).

(c) EXCLUSIONS.—This section shall not apply to a proposal that—

(1) reallocates existing water supply or hydropower storage; or

(2) reduces water available for any authorized project purpose.

(d) OTHER FEDERAL PROJECTS.—In any case in which a proposal relates to a Federal project that is not owned by the Secretary, this section shall apply only to activities under the authority of the Secretary.

(e) REVIEW PROCESS.—

(1) NOTICE.—On receipt of a proposal submitted under subsection (a), the Secretary shall provide a copy of the proposal to each entity described in paragraph (2) and if applicable, the Federal agency that owns the project, in the case of a project owned by an agency other than the Department of the Army.

(2) PUBLIC PARTICIPATION.—In reviewing proposals submitted under subsection (a), and prior to making any decisions regarding a proposal, the Secretary shall comply with all applicable public participation requirements under law, including consultation with—

(A) affected States;

(B) Power Marketing Administrations, in the case of reservoirs with Federal hydropower projects;

(C) entities responsible for operation and maintenance costs;

(D) any entity that has a contractual right from the Federal Government or a State to withdraw water from, or use storage at, the project;

(E) entities that the State determines hold rights under State law to the use of water from the project; and

(F) units of local government with flood risk reduction responsibilities downstream of the project.

(f) AUTHORITIES.—A proposal submitted to the Secretary under subsection (a) may be reviewed and approved, if applicable and appropriate, under—

(1) the specific authorization for the water resources project;

(2) section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a);

(3) section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b); and

(4) section 14 of the Act of March 3, 1899 (commonly known as the ''Rivers and Harbors Act of 1899'') (33 U.S.C. 408).

(g) LIMITATIONS.—The Secretary shall not approve a proposal submitted under subsection (a) that—

(1) is not supported by the Federal agency that owns the project if the owner is not the Secretary;

(2) interferes with an authorized purpose of the project;

(3) adversely impacts contractual rights to water or storage at the reservoir;

(4) adversely impacts legal rights to water under State law, as determined by an affected State;

(5) increases costs for any entity other than the entity that submitted the proposal; or

(6) if a project is subject to section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)), makes modifications to the project that do not meet the requirements of that section unless the modification is submitted to and authorized by Congress.

(h) COST SHARE.—

(1) IN GENERAL.—Except as provided in paragraph (2), 100 percent of the cost of developing, reviewing, and implementing a proposal submitted under subsection (a) shall be provided by an entity other than the Federal Government.

(2) PLANNING ASSISTANCE TO STATES.—In the case of a proposal from an entity authorized to receive assistance under section 22 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16), the Secretary may use funds available under that section to pay 50 percent of the cost of a review of a proposal submitted under subsection (a).

(3) OPERATION AND MAINTENANCE COSTS.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the operation and maintenance costs for the non-Federal sponsor of a proposal submitted under subsection (a) shall be 100 percent of the separable operation and maintenance costs associated with the costs of implementing the proposal.

(B) CERTAIN WATER SUPPLY STORAGE PROJECTS.—For a proposal submitted under subsection (a) for constructing additional water supply storage at a reservoir for use under a water supply storage agreement, in addition to the costs under subparagraph (A), the non-Federal costs shall include the proportional share of any joint-use costs for operation, maintenance, repair, replacement, or rehabilitation of the reservoir project determined in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b).

(C) VOLUNTARY CONTRIBUTIONS.—An entity other than an entity described in subparagraph (A) may voluntarily contribute to the costs of implementing a proposal submitted under subsection (a).

(i) CONTRIBUTED FUNDS.—The Secretary may receive and expend funds contributed by a non-Federal interest for the review and approval of a proposal submitted under subsection (a).

(j) ASSISTANCE.—On request by a non-Federal interest, the Secretary may provide technical assistance in the development or implementation of a proposal under subsection (a), including assistance in obtaining necessary permits for construction, if the non-Federal interest contracts with the Secretary to pay all costs of providing the technical assistance.

(k) EXCLUSION.—This section shall not apply to reservoirs in—

(1) the Upper Missouri River;

(2) the Apalachicola-Chattahoochee-Flint river system;

(3) the Alabama-Coosa-Tallapoosa river system; and

(4) the Stones River.

(l) EFFECT OF SECTION.—Nothing in this section affects or modifies any authority of the Secretary to review or modify reservoirs.

SEC. 1013. NEW ENGLAND DISTRICT HEADQUARTERS.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) and not otherwise obligated, the Secretary may—

(1) design, renovate, and construct additions to 2 buildings located on Hanscom Air Force Base in Bedford, Massachusetts for the headquarters of the New England District of the Army Corps of Engineers; and

(2) carry out such construction and infrastructure improvements as are required to support the headquarters of the New England District of the Army Corps of Engineers, including any necessary demolition of the existing infrastructure.

(b) REQUIREMENT.—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) is appropriately reimbursed from funds appropriated for programs that receive a benefit under this section.

SEC. 1014. BUFFALO DISTRICT HEADQUARTERS.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) and not otherwise obligated, the Secretary may—

(1) design and construct a new building in Buffalo, New York, for the headquarters of the Buffalo District of the Army Corps of Engineers; and

(2) carry out such construction and infrastructure improvements as are required to support the headquarters and related installations and facilities of the Buffalo District of the Army Corps of Engineers, including any necessary demolition or renovation of the existing infrastructure.

(b) REQUIREMENT.—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by section 101 of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576) is appropriately reimbursed from funds appropriated for programs that receive a benefit under this section.

SEC. 1015. COMPLETION OF ECOSYSTEM RESTORATION PROJECTS.

Section 2039 of the Water Resources Development Act of 2007 (33 U.S.C. 2330a) is amended by adding at the end the following:

''(d) INCLUSIONS.—A monitoring plan under subsection (b) shall include a description of—

''(1) the types and number of restoration activities to be conducted;

''(2) the physical action to be undertaken to achieve the restoration objectives of the project;

''(3) the functions and values that will result from the restoration plan; and

''(4) a contingency plan for taking corrective actions in cases in which monitoring demonstrates that restoration measures are not achieving ecological success in accordance with criteria described in the monitoring plan.

''(e) CONCLUSION OF OPERATION AND MAINTENANCE RESPONSIBILITY.—The responsibility of the non-Federal sponsor for operation, maintenance, repair, replacement, and rehabilitation of the ecosystem restoration

project shall cease 10 years after the date on which the Secretary makes a determination of success under subsection (b)(2).''.

SEC. 1016. CREDIT FOR DONATED GOODS.

Section 221(a)(4)(D)(iv) of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b(a)(4)(D)(iv)) is amended—

(1) by inserting ''regardless of the cost incurred by the non-Federal interest,'' before ''shall not''; and

(2) by striking ''costs'' and inserting ''value''.

SEC. 1017. STRUCTURAL HEALTH MONITORING.

(a) IN GENERAL.—The Secretary shall design and develop a structural health monitoring program to assess and improve the condition of infrastructure constructed and maintained by the Corps of Engineers, including research, design, and development of systems and frameworks for—

(1) response to flood and earthquake events;

(2) pre-disaster mitigation measures;

(3) lengthening the useful life of the infrastructure; and

(4) identifying risks due to sea level rise.

(b) CONSULTATION AND CONSIDERATION.—In developing the program under subsection (a), the Secretary shall—

(1) consult with academic and other experts; and

(2) consider models for maintenance and repair information, the development of degradation models for real-time measurements and environmental inputs, and research on qualitative inspection data as surrogate sensors.

SEC. 1018. FISH AND WILDLIFE MITIGATION.

Section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283) is amended—

(1) in subsection (h)—

(A) in paragraph (4)—

(i) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(ii) by inserting after subparagraph (C) the following:

''(D) include measures to protect or restore habitat connectivity'';

(B) in paragraph (6)(C), by striking ''impacts'' and inserting ''impacts, including impacts to habitat connectivity''; and

(C) by striking paragraph (11) and inserting the following:

''(11) EFFECT.—Nothing in this subsection—

''(A) requires the Secretary to undertake additional mitigation for existing projects for which mitigation has already been initiated, including the addition of fish passage to an existing water resources development project; or

''(B) affects the mitigation responsibilities of the Secretary under any other provision of law.''; and

(2) by adding at the end the following:

''(j) USE OF FUNDS.—The Secretary may use funds made available for preconstruction engineering and design prior to authorization of project construction to satisfy mitigation requirements through third-party arrangements or to acquire interests in land necessary for meeting mitigation requirements under this section.

''(k) MEASURES.—The Secretary shall consult with interested members of the public, the Director of the United States Fish and Wildlife Service, the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration, States, including State fish and game departments, and interested local governments to identify standard measures under subsection (h)(6)(C) that reflect the best available scientific information for evaluating habitat connectivity.''.

SEC. 1019. NON-FEDERAL INTERESTS.

Section 221(b)(1) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)(1)) is amended by inserting ''or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))'' after ''Indian tribe''.

SEC. 1020. DISCRETE SEGMENT.

Section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232) is amended—

(1) by striking ''project or separable element'' each place it appears and inserting ''project, separable element, or discrete segment'';

(2) by striking ''project, or separable element thereof,'' each place it appears and inserting ''project, separable element, or discrete segment of a project'';

(3) in subsection (a)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately; and

(B) by striking the subsection designation and all that follows through ''In this section, the'' and inserting the following:

''(a) DEFINITIONS.—In this section:

''(1) DISCRETE SEGMENT.—The term 'discrete segment', with respect to a project, means a physical portion of the project, as described in design documents, that is environmentally acceptable, is complete, will not create a hazard, and functions independently so that the non-Federal sponsor can operate and maintain the discrete segment in advance of completion of the total project or separable element of the project.

''(2) WATER RESOURCES DEVELOPMENT PROJECT.—The'';

(4) in subsection (b)(1), in the matter preceding subparagraph (A), by striking ''project, or separate element thereof'' and inserting ''project, separable element, or discrete segment of a project''; and

(5) in subsection (d)—

(A) in paragraph (3)(B), in the matter preceding clause (i), by striking ''project'' and inserting ''project, separable element, or discrete segment'';

(B) in paragraph (4), in the matter preceding subparagraph (A), by striking ''project, or a separable element of a water resources development project,'' and inserting ''project, separable element, or discrete segment of a project''; and

(C) by adding at the end the following:

''(5) REPAYMENT OF REIMBURSEMENT.—If the non-Federal interest receives reimbursement for a discrete segment of a project and fails to complete the entire project or separable element of the project, the non-Federal interest shall repay to the Secretary the amount of the reimbursement, plus interest.''.

SEC. 1021. FUNDING TO PROCESS PERMITS.

Section 214(a) of the Water Resources Development Act of 2000 (33 U.S.C. 2352(a)) is amended—

(1) in paragraph (1), by adding at the end the following:

''(C) RAIL CARRIER.—The term 'rail carrier' has the meaning given the term in section 10102 of title 49, United States Code.'';

(2) in paragraph (2), by striking ''or natural gas company'' and inserting '', natural gas company, or rail carrier'';

(3) in paragraph (3), by striking ''or natural gas company'' and inserting '', natural gas company, or rail carrier''; and

(4) in paragraph (5), by striking ''and natural gas companies'' and inserting '', natural gas companies, and rail carriers, including an evaluation of the compliance with all requirements of this section and, with respect to a permit for those entities, the requirements of all applicable Federal laws''.

SEC. 1022. INTERNATIONAL OUTREACH PROGRAM.

Section 401 of the Water Resources Development Act of 1992 (33 U.S.C. 2329) is amended by striking subsection (a) and inserting the following:

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—The Secretary may engage in activities to inform the United States of technological innovations abroad that could significantly improve water resources development in the United States.

''(2) INCLUSIONS.—Activities under paragraph (1) may include—

''(A) development, monitoring, assessment, and dissemination of information about foreign water resources projects that could significantly improve water resources development in the United States;

''(B) research, development, training, and other forms of technology transfer and exchange; and

''(C) offering technical services that cannot be readily obtained in the private sector to be incorporated into water resources projects if the costs for assistance will be recovered under the terms of each project.''.

SEC. 1023. WETLANDS MITIGATION.

Section 2036(c) of the Water Resources Development Act of 2007 (33 U.S.C. 2317b) is amended by adding at the end the following:

''(4) MITIGATION BANKS.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall issue implementation guidance that provides for the consideration in water resources development feasibility studies of the entire amount of potential in-kind credits available at mitigation banks and in-lieu fee programs with an approved service area that includes the projected impacts of the water resource development project.

''(B) REQUIREMENTS.—All potential mitigation bank and in-lieu fee credits that meet the criteria under subparagraph (A) shall be considered a reasonable alternative for planning purposes if the applicable mitigation bank—

''(i) has an approved mitigation banking instrument; and

''(ii) has completed a functional analysis of the potential credits using the approved Corps of Engineers certified habitat assessment model specific to the region.

''(C) EFFECT.—Nothing in this paragraph modifies or alters any requirement for a water resources project to comply with applicable laws or regulations, including section 906 of the Water Resources Development Act of 1986 (33 U.S.C. 2283).''.

SEC. 1024. USE OF YOUTH SERVICE AND CONSERVATION CORPS.

Section 213 of the Water Resources Development Act of 2000 (33 U.S.C. 2339) is amended by adding at the end the following:

''(d) YOUTH SERVICE AND CONSERVATION CORPS.—The Secretary shall encourage each district of the Corps of Engineers to enter into cooperative agreements authorized under this section with qualified youth service and conservation corps to perform appropriate projects.''.

SEC. 1025. DEBRIS REMOVAL.

Section 3 of the Act entitled ''An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes'', approved March 2, 1945 (33 U.S.C. 603a), is amended—

(1) by striking ''$1,000,000'' and inserting ''$5,000,000'';

(2) by striking ''accumulated snags and other debris'' and inserting ''accumulated snags, obstructions, and other debris located in or adjacent to a Federal channel''; and

(3) by striking ''or flood control'' and inserting '', flood control, or recreation''.

SEC. 1026. AQUACULTURE STUDY.

(a) IN GENERAL.—The Comptroller General shall carry out an assessment of the shellfish aquaculture industry, including—

(1) an examination of Federal and State laws (including regulations) in each relevant district of the Corps of Engineers;

(2) the number of shellfish aquaculture leases, verifications, or permits in place in each relevant district of the Corps of Engineers;

(3) the period of time required to secure a shellfish aquaculture lease, verification, or permit from each relevant jurisdiction; and

(4) the experience of the private sector in applying for shellfish aquaculture permits from different jurisdictions of the Corps of Engineers and different States.

(b) STUDY AREA.—The study area shall comprise, to the maximum extent practicable, the following applicable locations:

(1) The Chesapeake Bay.

(2) The Gulf Coast States.

(3) The State of California.

(4) The State of Washington.

(c) FINDINGS.—Not later than 225 days after the date of enactment of this Act, the Comptroller General shall submit to the Committees on Environment and Public Works and on Energy and Natural Resources of the Senate and the Committees on Transportation and Infrastructure and on Natural Resources of the House of Representatives a report containing the findings of the assessment conducted under subsection (a).

SEC. 1027. LEVEE VEGETATION.

(a) IN GENERAL.—Section 3013(g)(1) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113–121) is amended—

(1) by inserting ''remove existing vegetation or'' after ''the Secretary shall not''; and

(2) by striking ''as a condition or requirement for any approval or funding of a project, or any other action''.

(b) REPORT.—Not later than 30 days after the enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) describes the reasons for the failure of the Secretary to meet the deadlines in subsection (f) of section 3013 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 701n note; Public Law 113–121); and

(2) provides a plan for completion of the activities required in that subsection (f).

SEC. 1028. PLANNING ASSISTANCE TO STATES.

Section 22(a)(1) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16(a)(1)) is amended—

(1) by inserting '', a group of States, or a regional or national consortia of States'' after ''working with a State''; and

(2) by striking ''located within the boundaries of such State''.

SEC. 1029. PRIORITIZATION.

Section 1011 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2341a) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(C), by inserting ''restore or'' before ''prevent the loss''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''the date of enactment of this Act'' and inserting ''the date of enactment of the Water Resources Development Act of 2016''; and

(ii) in subparagraph (A)(ii), by striking ''that—'' and all that follows through ''(II)'' and inserting ''that''; and

(2) in subsection (b)—

(A) in paragraph (1), by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting appropriately;

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(C) in the matter preceding subparagraph (A) (as so redesignated), by striking ''For'' and inserting the following:

''(1) IN GENERAL.—For''; and

(D) by adding at the end the following:

''(2) EXPEDITED CONSIDERATION OF CURRENTLY AUTHORIZED PROGRAMMATIC AUTHORITIES.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that contains—

''(A) a list of all programmatic authorities for aquatic ecosystem restoration or improvement of the environment that—

''(i) were authorized or modified in the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1041) or any subsequent Act; and

''(ii) that meet the criteria described in paragraph (1); and

''(B) a plan for expeditiously completing the projects under the authorities described in subparagraph (A), subject to available funding.''.

SEC. 1030. KENNEWICK MAN.

(a) DEFINITIONS.—In this section:

(1) CLAIMANT TRIBES.—The term ''claimant tribes'' means the Indian tribes and band referred to in the letter from Secretary of the Interior Bruce Babbitt to Secretary of the Army Louis Caldera, relating to the human remains and dated September 21, 2000.

(2) DEPARTMENT.—The term ''Department'' means the Washington State Department of Archaeology and Historic Preservation.

(3) HUMAN REMAINS.—The term ''human remains'' means the human remains that—

(A) are known as Kennewick Man or the Ancient One, which includes the projectile point lodged in the right ilium bone, as well as any residue from previous sampling and studies; and

(B) are part of archaeological collection number 45BN495.

(b) TRANSFER.—Notwithstanding any other provision of Federal law, including the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), or law of the State of Washington, not later than 90 days after the date of enactment of this Act, the Secretary, acting through the Chief of Engineers, shall transfer the human remains to the Department, on the condition that the Department, acting through the State Historic Preservation Officer, disposes of the remains and repatriates the remains to claimant tribes.

(c) COST.—The Corps of Engineers shall be responsible for any costs associated with the transfer.

(d) LIMITATIONS.—

(1) IN GENERAL.—The transfer shall be limited solely to the human remains portion of the archaeological collection.

(2) SECRETARY.—The Secretary shall have no further responsibility for the human remains transferred pursuant to subsection (b) after the date of the transfer.

SEC. 1031. DISPOSITION STUDIES.

In carrying out any disposition study for a project of the Corps of Engineers (including a study under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a)), the Secretary shall consider the extent to which the property has economic or recreational significance or impacts at the national, State, or local level.

SEC. 1032. TRANSFER OF EXCESS CREDIT.

Section 1020 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2223) is amended—

(1) in subsection (a)—

(A) by striking the subsection designation and heading and all that follows through ''Subject to subsection (b)'' and inserting the following:

''(a) APPLICATION OF CREDIT.—

''(1) IN GENERAL.—Subject to subsection (b)''; and

(B) by adding at the end the following:

''(2) REASONABLE INTERVALS.—On request from a non-Federal interest, the credit described in subsection (a) may be applied at reasonable intervals as those intervals occur and are identified as being in excess of the required non-Federal cost share prior to completion of the study or project if the credit amount is verified by the Secretary.'';

(2) by striking subsection (d); and

(3) by redesignating subsection (e) as subsection (d).

SEC. 1033. SURPLUS WATER STORAGE.

Section 1046(c) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1254) is amended by adding at the end the following:

''(5) TIME LIMIT.—

''(A) IN GENERAL.—If the Secretary has documented the volume of surplus water available, not later than 60 days after the date on which the Secretary receives a request for a contract and easement, the Secretary shall issue a decision on the request.

''(B) OUTSTANDING INFORMATION.—If the Secretary has not documented the volume of surplus water available, not later than 30 days after the date on which the Secretary receives a request for a contract and easement, the Secretary shall provide to the requester—

''(i) an identification of any outstanding information that is needed to make a final decision;

''(ii) the date by which the information referred to in clause (i) shall be obtained; and

''(iii) the date by which the Secretary will make a final decision on the request.''.

SEC. 1034. HURRICANE AND STORM DAMAGE REDUCTION.

Section 3(c)(2)(B) of the Act of August 13, 1946 (33 U.S.C. 426g(c)(2)(B)) is amended by striking ''$5,000,000'' and inserting ''$10,000,000''.

SEC. 1035. FISH HATCHERIES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may operate a fish hatchery for the purpose of restoring a population of fish species located in the region surrounding the fish hatchery that is listed as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or a similar State law.

(b) COSTS.—A non-Federal entity, another Federal agency, or a group of non-Federal entities or other Federal agencies shall be responsible for 100 percent of the additional costs associated with managing a fish hatchery for the purpose described in subsection (a) that are not authorized as of the date of enactment of this Act for the fish hatchery.

SEC. 1036. FEASIBILITY STUDIES AND WATERSHED ASSESSMENTS.

(a) VERTICAL INTEGRATION AND ACCELERATION OF STUDIES.—Section 1001(d) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c(d)) is amended by striking paragraph (3) and inserting the following:

''(3) REPORT.—Not later than February 1 of each year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the

House of Representatives a report that identifies any feasibility study for which the Secretary in the preceding fiscal year approved an increase in cost or extension in time as provided under this section, including an identification of the specific 1 or more factors used in making the determination that the project is complex.''.

(b) COST SHARING.—Section 105(a)(1)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(a)(1)(A)) is amended—

(1) by striking the subparagraph designation and heading and all that follows through ''The Secretary'' and inserting the following:

''(A) REQUIREMENT.—

''(i) IN GENERAL.—Except as provided in clause (ii), the Secretary''; and

(2) by adding at the end the following:

''(ii) EXCEPTION.—For the purpose of meeting or otherwise communicating with prospective non-Federal sponsors to identify the scope of a potential water resources project feasibility study, identifying the Federal interest, developing the cost sharing agreement, and developing the project management plan, the first $100,000 of the feasibility study shall be a Federal expense.''.

(c) NON-FEDERAL SHARE.—Section 729(f)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2267a(f)(1)) is amended by inserting before the period at the end '', except that the first $100,000 of the assessment shall be a Federal expense''.

SEC. 1037. SHORE DAMAGE PREVENTION OR MITIGATION.

Section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) is amended—

(1) in subsection (b), by striking ''measures'' and all that follows through ''project'' and inserting ''measures, including a study, shall be cost-shared in the same proportion as the cost-sharing provisions applicable to construction of the project''; and

(2) by adding at the end the following:

''(e) REIMBURSEMENT FOR FEASIBILITY STUDIES.—Beginning on the date of enactment of this subsection, in any case in which the Secretary implements a project under this section, the Secretary shall reimburse or credit the non-Federal interest for any amounts contributed for the study evaluating the damage in excess of the non-Federal share of the costs, as determined under subsection (b).''.

SEC. 1038. ENHANCING LAKE RECREATION OPPORTUNITIES.

Section 3134 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1142) is amended by striking subsection (e).

SEC. 1039. COST ESTIMATES.

Section 2008 of the Water Resources Development Act of 2007 (33 U.S.C. 2340) is amended by striking subsection (c).

SEC. 1040. TRIBAL PARTNERSHIP PROGRAM.

Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''the Secretary'' and all that follows through ''projects'' and inserting ''the Secretary may carry out water-related planning activities, or activities relating to the study, design, and construction of water resources development projects or projects for the preservation of cultural and natural resources,'';

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking ''(2) MATTERS TO BE STUDIED.—A study'' and inserting the following:

''(2) AUTHORIZED ACTIVITIES.—Any activity''; and

(C) by adding at the end the following:

''(3) FEASIBILITY STUDY AND REPORTS.—

''(A) IN GENERAL.—On the request of an Indian tribe, the Secretary shall conduct a study, and provide to the Indian tribe a report describing the feasibility of a water resources development project or project for the preservation of cultural and natural resources described in paragraph (1).

''(B) RECOMMENDATION.—A report under subparagraph (A) may, but shall not be required to, contain a recommendation on a specific water resources development project.

''(C) FUNDING.—The first $100,000 of a study under this paragraph shall be at full Federal expense.

''(4) DESIGN AND CONSTRUCTION.—

''(A) IN GENERAL.—The Secretary may carry out the design and construction of a water resources development project or project for the preservation of cultural and natural resources described in paragraph (1) that the Secretary determines is feasible if the Federal share of the cost of the project is not more than $10,000,000.

''(B) SPECIFIC AUTHORIZATION.—If the Federal share of the cost of a project described in subparagraph (A) is more than $10,000,000, the Secretary may only carry out the project if Congress enacts a law authorizing the Secretary to carry out the project.'';

(2) in subsection (c)—

(A) in paragraph (1), by striking ''studies'' and inserting ''any activity''; and

(B) in paragraph (2)(B), by striking ''carrying out projects studied'' and inserting ''any activity conducted'';

(3) in subsection (d)—

(A) in paragraph (1)(A), by striking ''a study'' and inserting ''any activity conducted''; and

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

''(2) CREDIT.—The Secretary may credit toward the non-Federal share of the costs of any activity conducted under subsection (b) the cost of services, studies, supplies, or other in-kind contributions provided by the non-Federal interest.

''(3) SOVEREIGN IMMUNITY.—The Secretary shall not require an Indian tribe to waive the sovereign immunity of the Indian tribe as a condition to entering into a cost-sharing agreement under this subsection.

''(4) WATER RESOURCES DEVELOPMENT PROJECTS.—

''(A) IN GENERAL.—The non-Federal share of costs for the study of a water resources development project described in subsection (b)(1) shall be 50 percent.

''(B) OTHER COSTS.—The non-Federal share of costs of design and construction of a project described in subparagraph (A) shall be assigned to the appropriate project purposes described in sections 101 and 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2211, 2213) and shared in the same percentages as the purposes to which the costs are assigned.

''(5) PROJECTS FOR THE PRESERVATION OF CULTURAL AND NATURAL RESOURCES.—

''(A) IN GENERAL.—The non-Federal share of costs for the study of a project for the preservation of cultural and natural resources described in subsection (b)(1) shall be 50 percent.

''(B) OTHER COSTS.—The non-Federal share of costs of design and construction of a project described in subparagraph (A) shall be 65 percent.

''(6) WATER-RELATED PLANNING ACTIVITIES.—

''(A) IN GENERAL.—The non-Federal share of costs of a watershed and river basin assessment shall be 25 percent.

''(B) OTHER COSTS.—The non-Federal share of costs of other water-related planning activities described in subsection (b)(1) shall be 65 percent.''; and

(4) by striking subsection (e).

SEC. 1041. COST SHARING FOR TERRITORIES AND INDIAN TRIBES.

Section 1156 of the Water Resources Development Act of 1986 (33 U.S.C. 2310) is amended—

(1) in the section heading, by striking ''**TERRITORIES**'' and inserting ''**TERRITORIES AND INDIAN TRIBES**''; and

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

''(a) IN GENERAL.—The Secretary shall waive local cost-sharing requirements up to $200,000 for all studies, projects, and assistance under section 22(a) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d-16(a))—

''(1) in American Samoa, Guam, the Northern Mariana Islands, the Virgin Islands, Puerto Rico, and the Trust Territory of the Pacific Islands; and

''(2) for any Indian tribe (as defined in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130)).''.

SEC. 1042. LOCAL GOVERNMENT WATER MANAGEMENT PLANS.

The Secretary, with the consent of the non-Federal sponsor of a feasibility study for a water resources development project, may enter into a feasibility study cost-sharing agreement under section 221(a) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)), to allow a unit of local government in a watershed that has adopted a local or regional water management plan to participate in the feasibility study to determine if there is an opportunity to include additional feasible elements in the project being studied to help achieve the purposes identified in the local or regional water management plan.

SEC. 1043. CREDIT IN LIEU OF REIMBURSEMENT.

Section 1022 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2225) is amended—

(1) in subsection (a), by striking ''that has been constructed by a non-Federal interest under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13) before the date of enactment of this Act'' and inserting ''for which a written agreement with the Corps of Engineers for construction was finalized on or before December 31, 2014, under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13) (as it existed before the repeal made by section 1014(c)(3))''; and

(2) in subsection (b), by striking ''share of the cost of the non-Federal interest of carrying out other flood damage reduction projects or studies'' and inserting ''non-Federal share of the cost of carrying out other water resources development projects or studies of the non-Federal interest''.

SEC. 1044. RETROACTIVE CHANGES TO COST-SHARING AGREEMENTS.

Study costs incurred before the date of execution of a feasibility cost-sharing agreement for a project to be carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) shall be Federal costs, if—

(1) the study was initiated before October 1, 2006; and

(2) the feasibility cost-sharing agreement was not executed before January 1, 2014.

SEC. 1045. EASEMENTS FOR ELECTRIC, TELEPHONE, OR BROADBAND SERVICE FACILITIES ELIGIBLE FOR FINANCING UNDER THE RURAL ELECTRIFICATION ACT OF 1936.

(a) DEFINITION OF WATER RESOURCES DEVELOPMENT PROJECT.—In this section, the term ''water resources development project'' means a project under the administrative jurisdiction of the Corps of Engineers that is subject to part 327 of title 36, Code of Federal Regulations (or successor regulations).

(b) NO CONSIDERATION FOR EASEMENTS.—The Secretary may not collect consideration for an easement across water resources development project land for the electric, telephone, or broadband service facilities of nonprofit organizations eligible for financing under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.).

(c) ADMINISTRATIVE EXPENSES.—Nothing in this section affects the authority of the Secretary under section 2695 of title 10, United States Code, or under section 9701 of title 31, United State Code, to collect funds to cover reasonable administrative expenses incurred by the Secretary.

SEC. 1046. STUDY ON THE PERFORMANCE OF INNOVATIVE MATERIALS.

(a) DEFINITION OF INNOVATIVE MATERIAL.—In this section, the term ''innovative material'', with respect to a water resources development project, includes high performance concrete formulations, geosynthetic materials, advanced alloys and metals, reinforced polymer composites, and any other material, as determined by the Secretary.

(b) STUDY.—

(1) IN GENERAL.—The Secretary shall offer to enter into a contract with the Transportation Research Board of the National Academy of Sciences—

(A) to develop a proposal to study the use and performance of innovative materials in water resources development projects carried out by the Corps of Engineers; and

(B) after the opportunity for public comment provided in accordance with subsection (c), to carry out the study proposed under subparagraph (A).

(2) CONTENTS.—The study under paragraph (1) shall identify—

(A) the conditions that result in degradation of water resources infrastructure;

(B) the capabilities of the innovative materials in reducing degradation;

(C) barriers to the expanded successful use of innovative materials;

(D) recommendations on including performance-based requirements for the incorporation of innovative materials into the Unified Facilities Guide Specifications;

(E) recommendations on how greater use of innovative materials could increase performance of an asset of the Corps of Engineers in relation to extended service life;

(F) additional ways in which greater use of innovative materials could empower the Corps of Engineers to accomplish the goals of the Strategic Plan for Civil Works of the Corps of Engineers; and

(G) recommendations on any further research needed to improve the capabilities of innovative materials in achieving extended service life and reduced maintenance costs in water resources development infrastructure.

(c) PUBLIC COMMENT.—After developing the study proposal under subsection (b)(1)(A) and before carrying out the study under subsection (b)(1)(B), the Secretary shall provide an opportunity for public comment on the study proposal.

(d) CONSULTATION.—In carrying out the study under subsection (b)(1), the Secretary, at a minimum, shall consult with relevant experts on engineering, environmental, and industry considerations.

(e) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the results of the study required under subsection (b)(1).

SEC. 1047. DEAUTHORIZATION OF INACTIVE PROJECTS.

(a) IN GENERAL.—Section 6001(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 579b(c)) is amended by adding at the end the following:

''(5) DEFINITION OF CONSTRUCTION.—In this subsection, the term 'construction' includes the obligation or expenditure of non-Federal funds for construction of elements integral to the authorized project, whether or not the activity takes place pursuant to any agreement with, expenditure by, or obligation from the Secretary.''.

(b) NOTICES OF CORRECTION.—Not later than 60 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register a notice of correction removing from the lists under subsections (c) and (d) of section 6001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 579b) any project that was listed even though construction (as defined in subsection (c)(5) of that section) took place.

SEC. 1048. REVIEW OF RESERVOIR OPERATIONS.

(a) DEFINITIONS.—In this section:

(1) RESERVED WORKS.—The term ''reserved works'' means any Bureau of Reclamation project facility at which the Secretary of the Interior carries out the operation and maintenance of the project facility.

(2) TRANSFERRED WORKS.—The term ''transferred works'' means a Bureau of Reclamation project facility, the operation and maintenance of which is carried out by a non-Federal entity under the provisions of a formal operation and maintenance transfer contract.

(3) TRANSFERRED WORKS OPERATING ENTITY.—The term ''transferred works operating entity'' means the organization that is contractually responsible for operation and maintenance of transferred works.

(b) APPLICABILITY.—

(1) IN GENERAL.—This section applies to reservoirs that are subject to regulation by the Secretary under section 7 of the Act of December 22, 1944 (33 U.S.C. 709) located in a State in which a Bureau of Reclamation project is located.

(2) EXCLUSIONS.—This section shall not apply to—

(A) any project authorized by the Boulder Canyon Project Act (43 U.S.C. 617 et seq.);

(B) the initial units of the Colorado River Storage Project, as authorized by the first section of the Act of April 11, 1956 (commonly known as the ''Colorado River Storage Project Act'') (43 U.S.C. 620);

(C) any dam or reservoir operated by the Bureau of Reclamation as reserved works, unless all non-Federal project sponsors of the reserved works jointly provide to the Secretary a written request for application of this section to the project;

(D) any dam or reservoir owned and operated by the Corps of Engineers; or

(E) any Bureau of Reclamation transferred works, unless the transferred works operating entity provides to the Secretary a written request for application of this section to the project.

(c) REVIEW.—

(1) IN GENERAL.—In accordance with the authorities of the Secretary in effect on the day before the date of enactment of this Act, at the reservoirs described in paragraph (2), the Secretary may—

(A) review any flood control rule curves developed by the Secretary; and

(B) determine, based on the best available science (including improved weather forecasts and forecast-informed operations, new watershed data, or structural improvements) whether an update to the flood control rule curves and associated changes to the water operations manuals is appropriate.

(2) DESCRIPTION OF RESERVOIRS.—The reservoirs referred to in paragraph (1) are reservoirs—

(A)(i) located in areas with prolonged drought conditions; or

(ii) for which no review has occurred during the 10-year period preceding the date of enactment of this Act; and

(B) for which individuals or entities, including the individuals or entities responsible for operations and maintenance costs or that have storage entitlements or contracts at a reservoir, a unit of local government, the owner of a non-Federal project, or the non-Federal transferred works operating entity, as applicable, have submitted to the Secretary a written request to carry out the review described in paragraph (1).

(3) REQUIRED CONSULTATION.—In carrying out a review under paragraph (1) and prior to updating any flood control rule curves and manuals under subsection (e), the Secretary shall comply with all applicable public participation and agency review requirements, including consultation with—

(A) affected States, Indian tribes, and other Federal and State agencies with jurisdiction over a portion of or all of the project or the operations of the project;

(B) the applicable power marketing administration, in the case of reservoirs with Federal hydropower projects;

(C) any non-Federal entity responsible for operation and maintenance costs;

(D) any entity that has a contractual right to withdraw water from, or use storage at, the project;

(E) any entity that the State determines holds rights under State law to the use of water from the project; and

(F) any unit of local government with flood risk reduction responsibilities downstream of the project.

(d) AGREEMENT.—Before carrying out an activity under this section, the Secretary shall enter into a cooperative agreement, memorandum of understanding, or other agreement with an affected State, any owner or operator of the reservoir, and, on request, any non-Federal entities responsible for operation and maintenance costs at the reservoir, that describes the scope and goals of the activity and the coordination among the parties.

(e) UPDATES.—If the Secretary determines under subsection (c) that an update to a flood control rule curve and associated changes to a water operations manual is appropriate, the Secretary may update the flood control rule curve and manual in accordance with the authorities in effect on the day before the date of enactment of this Act.

(f) FUNDING.—

(1) IN GENERAL.—Subject to subsection (d), the Secretary may accept and expend amounts from the entities described in paragraph (2) to fund all or part of the cost of carrying out a review under subsection (c) or an update under subsection (e), including any associated environmental documentation.

(2) DESCRIPTION OF ENTITIES.—The entities referred to in paragraph (1) are—

(A) non-Federal entities responsible for operations and maintenance costs at the affected reservoir;

(B) individuals and non-Federal entities with storage entitlements at the affected reservoir;

(C) a Federal power marketing agency that markets power produced by the affected reservoir;

(D) units of local government;

(E) public or private entities holding contracts with the Federal Government for water storage or water supply at the affected reservoir; and

(F) a nonprofit entity, with the consent of the affected unit of local government.

(3) IN-KIND CONTRIBUTIONS.—The Secretary may—

(A) accept and use materials and services contributed by an entity described in paragraph (2) under this subsection; and

(B) credit the value of the contributed materials and services toward the cost of carrying out a review or revision of operational documents under this section.

(g) PROTECTION OF EXISTING RIGHTS.—The Secretary shall not issue an updated flood control rule curve or operations manual under subsection (e) that—

(1) interferes with an authorized purpose of the project or the existing purposes of a non-Federal project regulated for flood control by the Secretary;

(2) reduces the ability to meet contractual rights to water or storage at the reservoir;

(3) adversely impacts legal rights to water under State law;

(4) fails to address appropriate credit for the appropriate power marketing agency, if applicable; or

(5) if a project is subject to section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)), makes modifications to the project that do not meet the requirements of that section, unless the modification is submitted to and authorized by Congress.

(h) EFFECT OF SECTION.—Nothing in this section—

(1) authorizes the Secretary to take any action not otherwise authorized as of the date of enactment of this Act;

(2) affects or modifies any obligation of the Secretary under Federal or State law; or

(3) affects or modifies any other authority of the Secretary to review or modify reservoir operations.

SEC. 1049. WRITTEN AGREEMENT REQUIREMENT FOR WATER RESOURCES PROJECTS.

Section 221(a)(3) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(a)(3)) is amended by striking ''State legislature, the agreement may reflect'' and inserting ''State legislature, on the request of the State, body politic, or entity, the agreement shall reflect''.

SEC. 1050. MAXIMUM COST OF PROJECTS.

Section 902 of the Water Resources Development of 1986 (33 U.S.C. 2280) is amended—

(1) in subsection (a)(2)(A), by striking ''indexes'' and inserting ''indexes, including actual appreciation in relevant real estate markets''; and

(2) in subsection (b)—

(A) by striking ''Notwithstanding subsection (a), in accordance with section 5 of the Act of June 22, 1936 (33 U.S.C. 701h)'' and inserting the following:

''(1) IN GENERAL.—Notwithstanding subsection (a)'';

(B) in paragraph (1) (as so designated)—

(i) by striking ''funds'' the first place it appears and inserting ''funds, in-kind contributions, and land, easements, and right-of-way, relocations, and dredged material disposal areas''; and

(ii) by striking ''such funds'' each place it appears and inserting ''the contributions''; and

(C) by adding at the end the following:

''(2) LIMITATION.—Funds, in-kind contributions, and land, easements, and right-of-way, relocations, and dredged material disposal areas provided under this subsection are not eligible for credit or repayment and shall not be included in calculating the total cost of the project.''.

SEC. 1051. CONVERSION OF SURPLUS WATER AGREEMENTS.

Section 6 of the Act of December 22, 1944 (33 U.S.C. 708), is amended—

(1) by striking ''**SEC. 6.** That the Secretary'' and inserting the following:

''SEC. 6. SALE OF SURPLUS WATERS FOR DOMESTIC AND INDUSTRIAL USES.

''(a) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(b) CONTINUATION OF CERTAIN WATER SUPPLY AGREEMENTS.—In any case in which a water supply agreement was predicated on water that was surplus to a purpose and provided for contingent permanent storage rights under section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b) pending the need for storage for that purpose, and that purpose is no longer authorized, the Secretary of the Army shall continue the agreement with the same payment and all other terms as in effect prior to deauthorization of the purpose if the non-Federal entity has met all of the conditions of the agreement.

''(c) PERMANENT STORAGE AGREEMENTS.—In any case in which a water supply agreement with a duration of 30 years or longer was predicated on water that was surplus to a purpose and provided for the complete payment of the actual investment costs of storage to be used, and that purpose is no longer authorized, the Secretary of the Army shall provide to the non-Federal entity an opportunity to convert the agreement to a permanent storage agreement in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), with the same payment terms incorporated in the agreement.''.

SEC. 1052. AUTHORIZED FUNDING FOR INTERAGENCY AND INTERNATIONAL SUPPORT.

Section 234(d)(1) of the Water Resources Development Act of 1996 (33 U.S.C. 2323a(d)(1)) is amended by striking ''$1,000,000'' and inserting ''$5,000,000''.

TITLE II—NAVIGATION

SEC. 2001. PROJECTS FUNDED BY THE INLAND WATERWAYS TRUST FUND.

Beginning on June 10, 2014, and ending on the date that is 15 years after the date of enactment of this Act, section 1001(b)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 579a(b)(2)) shall not apply to any project authorized to receive funding from the Inland Waterways Trust Fund established by section 9506(a) of the Internal Revenue Code of 1986.

SEC. 2002. OPERATION AND MAINTENANCE OF FUEL-TAXED INLAND WATERWAYS.

Section 102(c) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(c)) is amended by adding at the end the following:

''(3) CREDIT OR REIMBURSEMENT.—The Federal share of operation and maintenance carried out by a non-Federal interest under this subsection after the date of enactment of the Water Resources Reform and Development Act of 2014 shall be eligible for reimbursement or for credit toward—

''(A) the non-Federal share of future operation and maintenance under this subsection; or

''(B) any measure carried out by the Secretary under section 3017(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113–121).''.

SEC. 2003. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.

Section 2101 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238b) is amended—

(1) in subsection (b)(1), in the matter preceding subparagraph (A), by striking ''The target total'' and inserting ''Except as provided in subsection (c), the target total'';

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

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

''(c) EXCEPTION.—If the target total budget resources for a fiscal year described in subparagraphs (A) through (J) of subsection (b)(1) is lower than the target total budget resources for the previous fiscal year, then the target total budget resources shall be adjusted to be equal to the lesser of—

''(1) 103 percent of the total budget resources appropriated for the previous fiscal year; or

''(2) 100 percent of the total amount of harbor maintenance taxes received in the previous fiscal year.''.

SEC. 2004. DREDGED MATERIAL DISPOSAL.

Disposal of dredged material shall not be considered environmentally acceptable for the purposes of identifying the Federal standard (as defined in section 335.7 of title 33, Code of Federal Regulations (or successor regulations)) if the disposal violates applicable State water quality standards approved by the Administrator of the Environmental Protection Agency under section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313).

SEC. 2005. CAPE ARUNDEL DISPOSAL SITE, MAINE.

(a) DEADLINE.—The Cape Arundel Disposal Site selected by the Department of the Army as an alternative dredged material disposal site under section 103(b) of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413(b)) and reopened pursuant to section 113 of the Energy and Water Development and Related Agencies Appropriations Act, 2014 (Public Law 113–76; 128 Stat. 158) (referred to in this section as the ''Site'') may remain open until the earlier of—

(1) the date on which the Site does not have any remaining disposal capacity;

(2) the date on which an environmental impact statement designating an alternative dredged material disposal site for southern Maine has been completed; or

(3) the date that is 5 years after the date of enactment of this Act.

(b) LIMITATIONS.—The use of the Site as a dredged material disposal site under subsection (a) shall be subject to the conditions that—

(1) conditions at the Site remain suitable for the continued use of the Site as a dredged material disposal site; and

(2) the Site not be used for the disposal of more than 80,000 cubic yards from any single dredging project.

SEC. 2006. MAINTENANCE OF HARBORS OF REFUGE.

The Secretary is authorized to maintain federally authorized harbors of refuge to restore and maintain the authorized dimensions of the harbors.

SEC. 2007. AIDS TO NAVIGATION.

(a) IN GENERAL.—The Secretary shall—

(1) consult with the Commandant of the Coast Guard regarding navigation on the Ouachita-Black Rivers; and

(2) share information regarding the assistance that the Secretary can provide regarding the placement of any aids to navigation on the rivers referred to in paragraph (1).

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the outcome of the consultation under subsection (a).

SEC. 2008. BENEFICIAL USE OF DREDGED MATERIAL.

Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) is amended by adding at the end the following:

(1) in subsection (a)(1)—

(A) by striking ''For sediment'' and inserting the following:

''(A) IN GENERAL.—For sediment''; and

(B) by adding at the end the following:

''(B) SEDIMENT FROM OTHER FEDERAL SOURCES AND NON-FEDERAL SOURCES.—For purposes of projects carried out under this section, the Secretary may include sediment from other Federal sources and non-Federal sources, subject to the requirement that any sediment obtained from a non-Federal source shall not be obtained at Federal expense.''; and

(2) in subsection (d), by adding at the end the following:

''(3) SPECIAL RULE.—Disposal of dredged material under this subsection may include a single or periodic application of sediment for beneficial use and shall not require operation and maintenance.

''(4) DISPOSAL AT NON-FEDERAL COST.—The Secretary may accept funds from a non-Federal interest to dispose of dredged material as provided under section 103(d)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(d)(1)).''.

SEC. 2009. OPERATION AND MAINTENANCE OF HARBOR PROJECTS.

Section 210(c)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(c)(3)) is amended by striking ''for each of fiscal years 2015 through 2022'' and inserting ''for each fiscal year''.

SEC. 2010. ADDITIONAL MEASURES AT DONOR PORTS AND ENERGY TRANSFER PORTS.

Section 2106 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(B) by inserting after paragraph (1) the following:

''(2) DISCRETIONARY CARGO.—The term 'discretionary cargo' means maritime cargo that is destined for inland locations and that can be economically shipped through multiple seaports located in different countries or regions.'';

(C) in paragraph (3) (as redesignated)—

(i) by redesignating subparagraphs (A) through (D) as clause (i) through (iv), respectively, and indenting appropriately;

(ii) in the matter preceding clause (i) (as redesignated), by striking ''The term'' and inserting the following:

''(A) IN GENERAL.—The term''; and

(iii) by adding at the end the following:

''(B) CALCULATION.—For the purpose of calculating the percentage described in subparagraph (A)(iii), payments described under subsection (c)(1) shall not be included.'';

(D) in paragraph (5)(A) (as redesignated), by striking ''Code of Federal Regulation'' and inserting ''Code of Federal Regulations''; and

(E) by adding at the end the following:

''(8) MEDIUM-SIZED DONOR PORT.—The term 'medium-sized donor port' means a port—

''(A) that is subject to the harbor maintenance fee under section 24.24 of title 19, Code of Federal Regulations (or a successor regulation);

''(B) at which the total amount of harbor maintenance taxes collected comprise annually more than $5,000,000 but less than $15,000,000 of the total funding of the Harbor Maintenance Trust Fund established under section 9505 of the Internal Revenue Code of 1986;

''(C) that received less than 25 percent of the total amount of harbor maintenance taxes collected at that port in the previous 5 fiscal years; and

''(D) that is located in a State in which more than 2,000,000 cargo containers were unloaded from or loaded onto vessels in fiscal year 2012.'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''donor ports'' and inserting ''donor ports, medium-sized donor ports,'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''and'' at the end; and

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

''(B) shall be made available to a port as either a donor port, medium-sized donor port, or an energy transfer port, and no port may receive amounts from more than 1 designation; and

''(C) for donor ports and medium-sized donor ports—

''(i) 50 percent of the funds shall be equally divided between the eligible donor ports as authorized by this section; and

''(ii) 50 percent of the funds shall be divided between the eligible donor ports and eligible medium-sized donor ports based on the percentage of the total Harbor Maintenance Tax revenues generated at each eligible donor port and medium-sized donor port.'';

(3) in subsection (c), in the matter preceding paragraph (1), by striking ''donor port'' and inserting ''donor port, a medium-sized donor port,'';

(4) by striking subsection (d) and inserting the following:

''(d) ADMINISTRATION OF PAYMENTS.—

''(1) IN GENERAL.—If a donor port, a medium-sized donor port, or an energy transfer port elects to provide payments to importers or shippers under subsection (c), the Secretary shall transfer to the Commissioner of Customs and Border Protection the amount that would otherwise be provided to the port under this section that is equal to those payments to provide the payments to the importers or shippers of the discretionary cargo that is—

''(A) shipped through respective eligible ports; and

''(B) most at risk of diversion to seaports outside of the United States.

''(2) REQUIREMENT.—The Secretary. in consultation with the eligible port, shall limit payments to top importers or shippers through an eligible port, as ranked by value of discretionary cargo.''; and

(5) in subsection (f)—

(A) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—If the total amounts made available from the Harbor Maintenance Trust Fund exceed the total amounts made available from the Harbor Maintenance Trust Fund in fiscal year 2012, there is authorized to be appropriated to carry out this section $50,000,000 from the Harbor Maintenance Trust Fund.'';

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

''(2) DIVISION BETWEEN DONOR PORTS, MEDIUM-SIZED DONOR PORTS, AND ENERGY TRANSFER PORTS.—For each fiscal year, amounts made available to carry out this section shall be provided in equal amounts to—

''(A) donor ports and medium-sized donor ports; and

''(B) energy transfer ports.''; and

(C) by striking paragraph (3).

SEC. 2011. HARBOR DEEPENING.

(a) IN GENERAL.—Section 101(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''the date of enactment of this Act'' and inserting ''the date of enactment of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1193)'';

(2) in subparagraph (B), by striking ''45 feet'' and inserting ''50 feet''; and

(3) in subparagraph (C), by striking ''45 feet'' and inserting ''50 feet''.

(b) DEFINITION OF DEEP-DRAFT HARBOR.—Section 214(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2241(1)) is amended by striking ''45 feet'' and inserting ''50 feet''.

SEC. 2012. OPERATIONS AND MAINTENANCE OF INLAND MISSISSIPPI RIVER PORTS.

(a) DEFINITIONS.—In this section:

(1) INLAND MISSISSIPPI RIVER.—The term ''inland Mississippi River'' means the portion of the Mississippi River that begins at the confluence of the Minnesota River and ends at the confluence of the Red River.

(2) SHALLOW DRAFT.—The term ''shallow draft'' means a project that has a depth of less than 14 feet.

(b) DREDGING ACTIVITIES.—The Secretary shall carry out dredging activities on shallow draft ports located on the inland Mississippi River to the respective authorized widths and depths of those inland ports, as authorized on the date of enactment of this Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—For each fiscal year, there is authorized to be appropriated to the Secretary to carry out this section $25,000,000.

SEC. 2013. IMPLEMENTATION GUIDANCE.

Section 2102 of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1273) is amended by adding at the end the following:

''(d) GUIDANCE.—Not later than 90 days after the date of enactment of the Water Resources Development Act of 2016 the Secretary shall publish on the website of the Corps of Engineers guidance on the implementation of this section and the amendments made by this section.''.

SEC. 2014. REMOTE AND SUBSISTENCE HARBORS.

Section 2006 of the Water Resources Development Act of 2007 (33 U.S.C. 2242) is amended—

(1) in subsection (a)(3), by inserting ''in which the project is located or of a community that is located in the region that is served by the project and that will rely on the project'' after ''community''; and

(2) in subsection (b)—

(A) in paragraph (1), by inserting ''or of a community that is located in the region to be served by the project and that will rely on the project'' after ''community'';

(B) in paragraph (4), by striking ''local population'' and inserting ''regional population to be served by the project''; and

(C) in paragraph (5), by striking ''community'' and inserting ''local community or to a community that is located in the region to be served by the project and that will rely on the project''.

SEC. 2015. NON-FEDERAL INTEREST DREDGING AUTHORITY.

(a) IN GENERAL.—The Secretary may permit a non-Federal interest to carry out, for an authorized navigation project (or a separable element of an authorized navigation project), such maintenance activities as are necessary to ensure that the project is maintained to not less than the minimum project dimensions.

(b) COST LIMITATIONS.—Except as provided in this section and subject to the availability of appropriations, the costs incurred by a non-Federal interest in performing the maintenance activities described in subsection (a) shall be eligible for reimbursement, not to exceed an amount that is equal to the estimated Federal cost for the performance of the maintenance activities.

(c) AGREEMENT.—Before initiating maintenance activities under this section, the non-Federal interest shall enter into an agreement with the Secretary that specifies, for the performance of the maintenance activities, the terms and conditions that are acceptable to the non-Federal interest and the Secretary.

(d) PROVISION OF EQUIPMENT.—In carrying out maintenance activities under this section, a non-Federal interest shall—

(1) provide equipment at no cost to the Federal Government; and

(2) hold and save the United States free from any and all damage that arises from the use of the equipment of the non-Federal interest, except for damage due to the fault

or negligence of a contractor of the Federal Government.

(e) REIMBURSEMENT ELIGIBILITY LIMITATIONS.—Costs that are eligible for reimbursement under this section are those costs directly related to the costs associated with operation and maintenance of the dredge based on the lesser of the period of time for which—

(1) the dredge is being used in the performance of work for the Federal Government during a given fiscal year; and

(2) the actual fiscal year Federal appropriations identified for that portion of maintenance dredging that are made available.

(f) AUDIT.—Not earlier than 5 years after the date of enactment of this Act, the Secretary may conduct an audit on any maintenance activities for an authorized navigation project (or a separable element of an authorized navigation project) carried out under this section to determine if permitting a non-Federal interest to carry out maintenance activities under this section has resulted in—

(1) improved reliability and safety for navigation; and

(2) cost savings to the Federal Government.

(g) TERMINATION OF AUTHORITY.—The authority of the Secretary under this section terminates on the date that is 10 years after the date of enactment of this Act.

SEC. 2016. TRANSPORTATION COST SAVINGS.

Section 210(e)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(e)(3)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following:

''(B) ADDITIONAL REQUIREMENT.—For the first report following the date of enactment of the Water Resources Development Act of 2016, in the report submitted under subparagraph (A), the Secretary shall identify, to the maximum extent practicable, transportation cost savings realized by achieving and maintaining the constructed width and depth for the harbors and inland harbors referred to in subsection (a)(2), on a project-by-project basis.''.

SEC. 2017. DREDGED MATERIAL.

(a) IN GENERAL.—Notwithstanding part 335 of title 33, Code of Federal Regulations, the Secretary may place dredged material from the operation and maintenance of an authorized Federal water resources project at another authorized water resource project if the Secretary determines that—

(1) the placement of the dredged material would—

(A)(i) enhance protection from flooding caused by storm surges or sea level rise; or

(ii) significantly contribute to shoreline resiliency, including the resilience and restoration of wetland; and

(B) be in the public interest; and

(2) the cost associated with the placement of the dredged material is reasonable in relation to the associated environmental, flood protection, and resiliency benefits.

(b) ADDITIONAL COSTS.—If the cost of placing the dredged material at another authorized water resource project exceeds the cost of depositing the dredged material in accordance with the Federal standard (as defined in section 335.7 of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act)), the Secretary shall not require a non-Federal entity to bear any of the increased costs associated with the placement of the dredged material.

SEC. 2018. GREAT LAKES NAVIGATION SYSTEM.

Section 210(d)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(d)(1)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by striking ''For each of fiscal years 2015 through 2024'' and inserting ''For each fiscal year''; and

(2) in subparagraph (B), in the matter preceding clause (i), by striking ''For each of fiscal years 2015 through 2024'' and inserting ''For each fiscal year''.

SEC. 2019. HARBOR MAINTENANCE TRUST FUND.

Notwithstanding section 102 of division D of the Consolidated Appropriations Act, 2016 (Public Law 114–113; 129 Stat. 2402), the Secretary shall allocate funding made available to the Secretary from the Harbor Maintenance Trust Fund, established under section 9505 of the Internal Revenue Code of 1986, in accordance with section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238).

TITLE III—SAFETY IMPROVEMENTS

SEC. 3001. REHABILITATION ASSISTANCE FOR NON-FEDERAL FLOOD CONTROL PROJECTS.

(a) IN GENERAL.—Section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), is amended—

(1) in subsection (a), by adding at the end the following:

''(3) DEFINITION OF NONSTRUCTURAL ALTERNATIVES.—In this subsection, 'nonstructural alternatives' includes efforts to restore or protect natural resources including streams, rivers, floodplains, wetlands, or coasts, if those efforts will reduce flood risk.''; and

(2) by adding at the end the following:

''(d) INCREASED LEVEL OF PROTECTION.—In conducting repair or restoration work under subsection (a), at the request of the non-Federal sponsor, the Secretary may increase the level of protection above the level to which the system was designed, or, if the repair and rehabilitation includes repair or rehabilitation of a pumping station, will increase the capacity of a pump, if—

''(1) the Chief of Engineers determines the improvements are in the public interest, including consideration of whether—

''(A) the authority under this section has been used more than once at the same location;

''(B) there is an opportunity to decrease significantly the risk of loss of life and property damage; or

''(C) there is an opportunity to decrease total life cycle rehabilitation costs for the project; and

''(2) the non-Federal sponsor agrees to pay the difference between the cost of repair, restoration, or rehabilitation to the original design level or original capacity and the cost of achieving the higher level of protection or capacity sought by the non-Federal sponsor.

''(e) NOTICE.—The Secretary shall notify the non-Federal sponsor of the opportunity to request implementation of nonstructural alternatives to the repair or restoration of the flood control work under subsection (a).''.

(b) PROJECTS IN COORDINATION WITH CERTAIN REHABILITATION REQUIREMENTS.—

(1) IN GENERAL.—In any case in which the Secretary has completed a study determining a project for flood damage reduction is feasible and such project is designed to protect the same geographic area as work to be performed under section 5(c) of the Act of August 18, 1941 (33 U.S.C. 701n(c)), the Secretary may, if the Secretary determines that the action is in the public interest, carry out such project with the work being performed under section 5(c) of that Act, subject to the limitations in paragraph (2).

(2) COST-SHARING.—The cost to carry out a project under paragraph (1) shall be shared in accordance with section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213).

SEC. 3002. REHABILITATION OF EXISTING LEVEES.

Section 3017 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113–121) is amended—

(1) in subsection (a), by striking ''if the Secretary determines the necessary work is technically feasible, environmentally acceptable, and economically justified'';

(2) in subsection (b)—

(A) by striking ''This section'' and inserting the following:

''(1) IN GENERAL.—This section''; and

(B) by adding at the end the following:

''(2) REQUIREMENT.—A measure carried out under subsection (a) shall be implemented in the same manner as the repair or restoration of a flood control work pursuant to section 5 of the Act of August 18, 1941 (33 U.S.C. 701n).'';

(3) in subsection (c)(1), by striking ''The non-Federal'' and inserting ''Notwithstanding subsection (b)(2), the non-Federal''; and

(4) by adding at the end the following:

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $125,000,000.''.

SEC. 3003. MAINTENANCE OF HIGH RISK FLOOD CONTROL PROJECTS.

In any case in which the Secretary has assumed, as of the date of enactment of this Act, responsibility for the maintenance of a project classified as class III under the Dam Safety Action Classification of the Corps of Engineers, the Secretary shall continue to be responsible for the maintenance until the earlier of the date that—

(1) the project is modified to reduce that risk and the Secretary determines that the project is no longer classified as class III under the Dam Safety Action Classification of the Corps of Engineers; or

(2) is 15 years after the date of enactment of this Act.

SEC. 3004. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

(a) DEFINITIONS.—Section 2 of the National Dam Safety Program Act (33 U.S.C. 467) is amended—

(1) by redesignating paragraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), and (13) as paragraphs (5), (6), (7), (8), (9), (11), (13), (14), (15), and (16), respectively;

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

''(4) ELIGIBLE HIGH HAZARD POTENTIAL DAM.—

''(A) IN GENERAL.—The term 'eligible high hazard potential dam' means a non-Federal dam that—

''(i) is located in a State with a State dam safety program;

''(ii) is classified as 'high hazard potential' by the State dam safety agency in the State in which the dam is located;

''(iii) has an emergency action plan approved by the relevant State dam safety agency; and

''(iv) the State in which the dam is located determines—

''(I) fails to meet minimum dam safety standards of the State; and

''(II) poses an unacceptable risk to the public.

''(B) EXCLUSION.—The term 'eligible high hazard potential dam' does not include—

''(i) a licensed hydroelectric dam; or

''(ii) a dam built under the authority of the Secretary of Agriculture.'';

(3) by inserting after paragraph (9) (as redesignated by paragraph (1)) the following:

''(10) NON-FEDERAL SPONSOR.—The term 'non-Federal sponsor', in the case of a project receiving assistance under section 8A, includes—

''(A) a governmental organization; and

''(B) a nonprofit organization.'' and

(4) by inserting after paragraph (11) (as redesignated by paragraph (1)) the following:

''(12) REHABILITATION.—The term 'rehabilitation' means the repair, replacement, reconstruction, or removal of a dam that is carried out to meet applicable State dam safety and security standards.''.

(b) PROGRAM FOR REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.—The National Dam Safety Program Act is amended by inserting after section 8 (33 U.S.C. 467f) the following:

''SEC. 8A. REHABILITATION OF HIGH HAZARD POTENTIAL DAMS.

''(a) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish, within FEMA, a program to provide technical, planning, design, and construction assistance in the form of grants to non-Federal sponsors for rehabilitation of eligible high hazard potential dams.

''(b) ELIGIBLE ACTIVITIES.—A grant awarded under this section for a project may be used for—

''(1) repair;

''(2) removal; or

''(3) any other structural or nonstructural measures to rehabilitate a high hazard potential dam.

''(c) AWARD OF GRANTS.—

''(1) APPLICATION.—

''(A) IN GENERAL.—A non-Federal sponsor interested in receiving a grant under this section may submit to the Administrator an application for the grant.

''(B) REQUIREMENTS.—An application submitted to the Administrator under this section shall be submitted at such time, be in such form, and contain such information as the Administrator may prescribe by regulation pursuant to section 3004(c) of the Water Resources Development Act of 2016.

''(2) GRANT.—

''(A) IN GENERAL.—The Administrator may make a grant in accordance with this section for rehabilitation of a high hazard potential dam to a non-Federal sponsor that submits an application for the grant in accordance with the regulations prescribed by the Administrator.

''(B) PROJECT GRANT AGREEMENT.—The Administrator shall enter into a project grant agreement with the non-Federal sponsor to establish the terms of the grant and the project, including the amount of the grant.

''(C) GRANT ASSURANCE.—As part of a project grant agreement under subparagraph (B), the Administrator shall require the non-Federal sponsor to provide an assurance, with respect to the dam to be rehabilitated under the project, that the owner of the dam has developed and will carry out a plan for maintenance of the dam during the expected life of the dam.

''(D) LIMITATION.—A grant provided under this section shall not exceed the lesser of—

''(i) 12.5 percent of the total amount of funds made available to carry out this section; or

''(ii) $7,500,000.

''(d) REQUIREMENTS.—

''(1) APPROVAL.—A grant awarded under this section for a project shall be approved by the relevant State dam safety agency.

''(2) NON-FEDERAL SPONSOR REQUIREMENTS.—To receive a grant under this section, the non-Federal sponsor shall—

''(A) participate in, and comply with, all applicable Federal flood insurance programs;

''(B) have in place a hazard mitigation plan that—

''(i) includes all dam risks; and

''(ii) complies with the Disaster Mitigation Act of 2000 (Public Law 106–390; 114 Stat. 1552);

''(C) commit to provide operation and maintenance of the project for the 50-year period following completion of rehabilitation;

''(D) comply with such minimum eligibility requirements as the Administrator may establish to ensure that each owner and operator of a dam under a participating State dam safety program—

''(i) acts in accordance with the State dam safety program; and

''(ii) carries out activities relating to the public in the area around the dam in accordance with the hazard mitigation plan described in subparagraph (B); and

''(E) comply with section 611(j)(9) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196(j)(9)) (as in effect on the date of enactment of this section) with respect to projects receiving assistance under this section in the same manner as recipients are required to comply in order to receive financial contributions from the Administrator for emergency preparedness purposes.

''(e) FLOODPLAIN MANAGEMENT PLANS.—

''(1) IN GENERAL.—As a condition of receipt of assistance under this section, the non-Federal entity shall demonstrate that a floodplain management plan to reduce the impacts of future flood events in the area protected by the project—

''(A) is in place; or

''(B) will be—

''(i) developed not later than 1 year after the date of execution of a project agreement for assistance under this section; and

''(ii) implemented not later than 1 year after the date of completion of construction of the project.

''(2) INCLUSIONS.—A plan under paragraph (1) shall address—

''(A) potential measures, practices, and policies to reduce loss of life, injuries, damage to property and facilities, public expenditures, and other adverse impacts of flooding in the area protected by the project;

''(B) plans for flood fighting and evacuation; and

''(C) public education and awareness of flood risks.

''(3) TECHNICAL SUPPORT.—The Administrator may provide technical support for the development and implementation of floodplain management plans prepared under this subsection.

''(f) PRIORITY SYSTEM.—The Administrator, in consultation with the Board, shall develop a risk-based priority system for use in identifying high hazard potential dams for which grants may be made under this section.

''(g) FUNDING.—

''(1) COST SHARING.—

''(A) IN GENERAL.—Any assistance provided under this section for a project shall be subject to a non-Federal cost-sharing requirement of not less than 35 percent.

''(B) IN-KIND CONTRIBUTIONS.—The non-Federal share under subparagraph (A) may be provided in the form of in-kind contributions.

''(2) ALLOCATION OF FUNDS.—The total amount of funds made available to carry out this section for each fiscal year shall be distributed as follows:

''(A) EQUAL DISTRIBUTION.—⅓ shall be distributed equally among the States in which the projects for which applications are submitted under subsection (c)(1) are located.

''(B) NEED-BASED.—⅔ shall be distributed among the States in which the projects for which applications are submitted under subsection (c)(1) are located based on the proportion that—

''(i) the number of eligible high hazard potential dams in the State; bears to

''(ii) the number of eligible high hazard potential dams in all States in which projects for which applications are submitted under subsection (c)(1).

''(h) USE OF FUNDS.—None of the funds provided in the form of a grant or otherwise made available under this section shall be used—

''(1) to rehabilitate a Federal dam;

''(2) to perform routine operation or maintenance of a dam;

''(3) to modify a dam to produce hydroelectric power;

''(4) to increase water supply storage capacity; or

''(5) to make any other modification to a dam that does not also improve the safety of the dam.

''(i) CONTRACTUAL REQUIREMENTS.—

''(1) IN GENERAL.—Subject to paragraph (2), as a condition on the receipt of a grant under this section of an amount greater than $1,000,000, a non-Federal sponsor that receives the grant shall require that each contract and subcontract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping, and related services entered into using funds from the grant be awarded in the same manner as a contract for architectural and engineering services is awarded under—

''(A) chapter 11 of title 40, United States Code; or

''(B) an equivalent qualifications-based requirement prescribed by the relevant State.

''(2) NO PROPRIETARY INTEREST.—A contract awarded in accordance with paragraph (1) shall not be considered to confer a proprietary interest upon the United States.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) $10,000,000 for fiscal years 2017 and 2018;

''(2) $25,000,000 for fiscal year 2019;

''(3) $40,000,000 for fiscal year 2020; and

''(4) $60,000,000 for each of fiscal years 2021 through 2026.''.

(c) RULEMAKING.—

(1) PROPOSED RULEMAKING.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall issue a notice of proposed rulemaking regarding applications for grants of assistance under the amendments made by subsection (b) to the National Dam Safety Program Act (33 U.S.C. 467 et seq.).

(2) FINAL RULE.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall promulgate a final rule regarding the amendments described in paragraph (1).

SEC. 3005. EXPEDITED COMPLETION OF AUTHORIZED PROJECTS FOR FLOOD DAMAGE REDUCTION.

The Secretary shall expedite the completion of the following projects for flood damage reduction and flood risk management:

(1) Chicagoland Underflow Plan, Illinois, phase 2, as authorized by section 3(a)(5) of the Water Resources Development Act of 1988 (Public Law 100–676; 102 Stat. 4013) and modified by section 319 of the Water Resources Development Act of 1996 (Public Law 104–303; 110 Stat. 3715) and section 501 of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 334).

(2) Cedar River, Cedar Rapids, Iowa, as authorized by section 7002(2)(3) of the Water Resources Development Act of 2014 (Public Law 113–121; 128 Stat. 1366).

(3) Comite River, Louisiana, authorized as part of the project for flood control, Amite River and Tributaries, Louisiana, by section 101(11) of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4802) and modified by section 301(b)(5) of the Water Resources Development Act of 1996 (Public Law 104–03; 110 Stat. 3709) and section

371 of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 321).

(4) Amite River and Tributaries, Louisiana, East Baton Rouge Parish Watershed, as authorized by section 101(a)(21) of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 277) and modified by section 116 of division D of Public Law 108–7 (117 Stat. 140) and section 3074 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1124).

SEC. 3006. CUMBERLAND RIVER BASIN DAM REPAIRS.

(a) IN GENERAL.—Costs incurred in carrying out any repair to correct a seepage problem at any dam in the Cumberland River Basin shall be—

(1) treated as costs for a dam safety project; and

(2) subject to cost-sharing requirements in accordance with section 1203 of the Water Resources Development Act of 1986 (33 U.S.C. 467n).

(b) APPLICATION.—Subsection (a) shall apply only to repairs for projects for which construction has not begun and appropriations have not been made as of the date of enactment of this Act.

SEC. 3007. INDIAN DAM SAFETY.

(a) DEFINITIONS.—In this section:

(1) DAM.—

(A) IN GENERAL.—The term ''dam'' has the meaning given the term in section 2 of the National Dam Safety Program Act (33 U.S.C. 467).

(B) INCLUSIONS.—The term ''dam'' includes any structure, facility, equipment, or vehicle used in connection with the operation of a dam.

(2) FUND.—The term ''Fund'' means, as applicable—

(A) the High-Hazard Indian Dam Safety Deferred Maintenance Fund established by subsection (b)(1)(A); or

(B) the Low-Hazard Indian Dam Safety Deferred Maintenance Fund established by subsection (b)(2)(A).

(3) HIGH HAZARD POTENTIAL DAM.—The term ''high hazard potential dam'' means a dam assigned to the significant or high hazard potential classification under the guidelines published by the Federal Emergency Management Agency entitled ''Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams'' (FEMA Publication Number 333).

(4) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(5) LOW HAZARD POTENTIAL DAM.—The term ''low hazard potential dam'' means a dam assigned to the low hazard potential classification under the guidelines published by the Federal Emergency Management Agency entitled ''Federal Guidelines for Dam Safety: Hazard Potential Classification System for Dams'' (FEMA Publication Number 333).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Assistant Secretary for Indian Affairs, in consultation with the Secretary of the Army.

(b) INDIAN DAM SAFETY DEFERRED MAINTENANCE FUNDS.—

(1) HIGH-HAZARD FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the ''High-Hazard Indian Dam Safety Deferred Maintenance Fund'', consisting of—

(i) such amounts as are deposited in the Fund under subparagraph (B); and

(ii) any interest earned on investment of amounts in the Fund under subparagraph (D).

(B) DEPOSITS TO FUND.—

(i) IN GENERAL.—For each of fiscal years 2017 through 2037, the Secretary of the Treasury shall deposit in the Fund $22,750,000 from the general fund of the Treasury.

(ii) AVAILABILITY OF AMOUNTS.—Amounts deposited in the Fund under clause (i) shall be used, subject to appropriation, to carry out this section.

(C) EXPENDITURES FROM FUND.—

(i) IN GENERAL.—Subject to clause (ii), for each of fiscal years 2017 through 2037, the Secretary may, to the extent provided in advance in appropriations Acts, expend from the Fund, in accordance with this section, not more than the sum of—

(I) $22,750,000; and

(II) the amount of interest accrued in the Fund.

(ii) ADDITIONAL EXPENDITURES.—The Secretary may expend more than $22,750,000 for any fiscal year referred to in clause (i) if the additional amounts are available in the Fund as a result of a failure of the Secretary to expend all of the amounts available under clause (i) in 1 or more prior fiscal years.

(D) INVESTMENTS OF AMOUNTS.—

(i) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

(ii) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.

(E) TRANSFERS OF AMOUNTS.—

(i) IN GENERAL.—The amounts required to be transferred to the Fund under this paragraph shall be transferred at least monthly.

(ii) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates are in excess of or less than the amounts required to be transferred.

(F) TERMINATION.—On September 30, 2037—

(i) the Fund shall terminate; and

(ii) the unexpended and unobligated balance of the Fund shall be transferred to the general fund of the Treasury.

(2) LOW-HAZARD FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the ''Low-Hazard Indian Dam Safety Deferred Maintenance Fund'', consisting of—

(i) such amounts as are deposited in the Fund under subparagraph (B); and

(ii) any interest earned on investment of amounts in the Fund under subparagraph (D).

(B) DEPOSITS TO FUND.—

(i) IN GENERAL.—For each of fiscal years 2017 through 2037, the Secretary of the Treasury shall deposit in the Fund $10,000,000 from the general fund of the Treasury.

(ii) AVAILABILITY OF AMOUNTS.—Amounts deposited in the Fund under clause (i) shall be used, subject to appropriation, to carry out this section.

(C) EXPENDITURES FROM FUND.—

(i) IN GENERAL.—Subject to clause (ii), for each of fiscal years 2017 through 2037, the Secretary may, to the extent provided in advance in appropriations Acts, expend from the Fund, in accordance with this section, not more than the sum of—

(I) $10,000,000; and

(II) the amount of interest accrued in the Fund.

(ii) ADDITIONAL EXPENDITURES.—The Secretary may expend more than $10,000,000 for any fiscal year referred to in clause (i) if the additional amounts are available in the Fund as a result of a failure of the Secretary to expend all of the amounts available under clause (i) in 1 or more prior fiscal years.

(D) INVESTMENTS OF AMOUNTS.—

(i) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

(ii) CREDITS TO FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to, and form a part of, the Fund.

(E) TRANSFERS OF AMOUNTS.—

(i) IN GENERAL.—The amounts required to be transferred to the Fund under this paragraph shall be transferred at least monthly.

(ii) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates are in excess of or less than the amounts required to be transferred.

(F) TERMINATION.—On September 30, 2037—

(i) the Fund shall terminate; and

(ii) the unexpended and unobligated balance of the Fund shall be transferred to the general fund of the Treasury.

(c) REPAIR, REPLACEMENT, AND MAINTENANCE OF CERTAIN INDIAN DAMS.—

(1) PROGRAM ESTABLISHMENT.—

(A) IN GENERAL.—The Secretary shall establish a program to address the deferred maintenance needs of Indian dams that—

(i) create flood risks or other risks to public or employee safety or natural or cultural resources; and

(ii) unduly impede the management and efficiency of Indian dams.

(B) FUNDING.—

(i) HIGH-HAZARD FUND.—Consistent with subsection (b)(1)(B), the Secretary shall use or transfer to the Bureau of Indian Affairs not less than $22,750,000 of amounts in the High-Hazard Indian Dam Safety Deferred Maintenance Fund, plus accrued interest, for each of fiscal years 2017 through 2037 to carry out maintenance, repair, and replacement activities for 1 or more of the Indian dams described in paragraph (2)(A).

(ii) LOW-HAZARD FUND.—Consistent with subsection (b)(2)(B), the Secretary shall use or transfer to the Bureau of Indian Affairs not less than $10,000,000 of amounts in the Low-Hazard Indian Dam Safety Deferred Maintenance Fund, plus accrued interest, for each of fiscal years 2017 through 2037 to carry out maintenance, repair, and replacement activities for 1 or more of the Indian dams described in paragraph (2)(B).

(C) COMPLIANCE WITH DAM SAFETY POLICIES.—Maintenance, repair, and replacement activities for Indian dams under this section shall be carried out in accordance with the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(2) ELIGIBLE DAMS.—

(A) HIGH HAZARD POTENTIAL DAMS.—The dams eligible for funding under paragraph (1)(B)(i) are Indian high hazard potential dams in the United States that—

(i) are included in the safety of dams program established pursuant to the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.); and

(ii)(I)(aa) are owned by the Federal Government, as listed in the Federal inventory required by Executive Order 13327 (40 U.S.C. 121 note; relating to Federal real property asset management); and

(bb) are managed by the Bureau of Indian Affairs (including dams managed under contracts or compacts pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.)); or

(II) have deferred maintenance documented by the Bureau of Indian Affairs.

(B) LOW HAZARD POTENTIAL DAMS.—The dams eligible for funding under paragraph (1)(B)(ii) are Indian low hazard potential

dams in the United States that, on the date of enactment of this Act—

(i) are covered under the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.); and

(ii)(I)(aa) are owned by the Federal Government, as listed in the Federal inventory required by Executive Order 13327 (40 U.S.C. 121 note; relating to Federal real property asset management); and

(bb) are managed by the Bureau of Indian Affairs (including dams managed under contracts or compacts pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.)); or

(II) have deferred maintenance documented by the Bureau of Indian Affairs.

(3) REQUIREMENTS AND CONDITIONS.—Not later than 120 days after the date of enactment of this Act and as a precondition to amounts being expended from the Fund to carry out this subsection, the Secretary, in consultation with representatives of affected Indian tribes, shall develop and submit to Congress—

(A) programmatic goals to carry out this subsection that—

(i) would enable the completion of repairing, replacing, improving, or performing maintenance on Indian dams as expeditiously as practicable, subject to the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.);

(ii) facilitate or improve the ability of the Bureau of Indian Affairs to carry out the mission of the Bureau of Indian Affairs in operating an Indian dam; and

(iii) ensure that the results of government-to-government consultation required under paragraph (4) be addressed; and

(B) funding prioritization criteria to serve as a methodology for distributing funds under this subsection that take into account—

(i) the extent to which deferred maintenance of Indian dams poses a threat to—

(I) public or employee safety or health;

(II) natural or cultural resources; or

(III) the ability of the Bureau of Indian Affairs to carry out the mission of the Bureau of Indian Affairs in operating an Indian dam;

(ii) the extent to which repairing, replacing, improving, or performing maintenance on an Indian dam will—

(I) improve public or employee safety, health, or accessibility;

(II) assist in compliance with codes, standards, laws, or other requirements;

(III) address unmet needs; or

(IV) assist in protecting natural or cultural resources;

(iii) the methodology of the rehabilitation priority index of the Secretary, as in effect on the date of enactment of this Act;

(iv) the potential economic benefits of the expenditures on job creation and general economic development in the affected tribal communities;

(v) the ability of an Indian dam to address tribal, regional, and watershed level flood prevention needs;

(vi) the need to comply with the dam safety policies of the Director of the Bureau of Indian Affairs established to carry out the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.);

(vii) the ability of the water storage capacity of an Indian dam to be increased to prevent flooding in downstream tribal and non-tribal communities; and

(viii) such other factors as the Secretary determines to be appropriate to prioritize the use of available funds that are, to the fullest extent practicable, consistent with tribal and user recommendations received pursuant to the consultation and input process under paragraph (4).

(4) TRIBAL CONSULTATION AND USER INPUT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), before expending funds on an Indian dam pursuant to paragraph (1) and not later than 60 days after the date of enactment of this Act, the Secretary shall—

(i) consult with the Director of the Bureau of Indian Affairs on the expenditure of funds;

(ii) ensure that the Director of the Bureau of Indian Affairs advises the Indian tribe that has jurisdiction over the land on which a dam eligible to receive funding under paragraph (2) is located on the expenditure of funds; and

(iii) solicit and consider the input, comments, and recommendations of the landowners served by the Indian dam.

(B) EMERGENCIES.—If the Secretary determines that an emergency circumstance exists with respect to an Indian dam, subparagraph (A) shall not apply with respect to that Indian dam.

(5) ALLOCATION AMONG DAMS.—

(A) IN GENERAL.—Subject to subparagraph (B), to the maximum extent practicable, the Secretary shall ensure that, for each of fiscal years 2017 through 2037, each Indian dam eligible for funding under paragraph (2) that has critical maintenance needs receives part of the funding under paragraph (1) to address critical maintenance needs.

(B) PRIORITY.—In allocating amounts under paragraph (1)(B), in addition to considering the funding priorities described in paragraph (3), the Secretary shall give priority to Indian dams eligible for funding under paragraph (2) that serve—

(i) more than 1 Indian tribe within an Indian reservation; or

(ii) highly populated Indian communities, as determined by the Secretary.

(C) CAP ON FUNDING.—

(i) IN GENERAL.—Subject to clause (ii), in allocating amounts under paragraph (1)(B), the Secretary shall allocate not more than $10,000,000 to any individual dam described in paragraph (2) during any consecutive 3-year period.

(ii) EXCEPTION.—Notwithstanding the cap described in clause (i), if the full amount under paragraph (1)(B) cannot be fully allocated to eligible Indian dams because the costs of the remaining activities authorized in paragraph (1)(B) of an Indian dam would exceed the cap described in clause (i), the Secretary may allocate the remaining funds to eligible Indian dams in accordance with this subsection.

(D) BASIS OF FUNDING.—Any amounts made available under this paragraph shall be nonreimbursable.

(E) APPLICABILITY OF ISDEAA.—The Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) shall apply to activities carried out under this paragraph.

(d) TRIBAL SAFETY OF DAMS COMMITTEE.—

(1) ESTABLISHMENT OF COMMITTEE.—

(A) ESTABLISHMENT.—The Secretary of the Interior shall establish within the Bureau of Indian Affairs the Tribal Safety of Dams Committee (referred to in this paragraph as the ''Committee'').

(B) MEMBERSHIP.—

(i) COMPOSITION.—The Committee shall be composed of 15 members, of whom—

(I) 11 shall be appointed by the Secretary of the Interior from among individuals who, to the maximum extent practicable, have knowledge and expertise in dam safety issues and flood prevention and mitigation, of whom not less than 1 shall be a member of an Indian tribe in each of the Bureau of Indian Affairs regions of—

(aa) the Northwest Region;

(bb) the Pacific Region;

(cc) the Western Region;

(dd) the Navajo Region;

(ee) the Southwest Region;

(ff) the Rocky Mountain Region;

(gg) the Great Plans Region; and

(hh) the Midwest Region;

(II) 2 shall be appointed by the Secretary of the Interior from among employees of the Bureau of Indian Affairs who have knowledge and expertise in dam safety issues and flood prevention and mitigation;

(III) 1 shall be appointed by the Secretary of the Interior from among employees of the Bureau of Reclamation who have knowledge and expertise in dam safety issues and flood prevention and mitigation; and

(IV) 1 shall be appointed by the Secretary of the Army from among employees of the Corps of Engineers who have knowledge and expertise in dam safety issues and flood prevention and mitigation.

(ii) NONVOTING MEMBERS.—The members of the Committee appointed under subclauses (II) and (III) of clause (i) shall be nonvoting members.

(iii) DATE.—The appointments of the members of the Committee shall be made as soon as practicable after the date of enactment of this Act.

(C) PERIOD OF APPOINTMENT.—Members shall be appointed for the life of the Committee.

(D) VACANCIES.—Any vacancy in the Committee shall not affect the powers of the Committee, but shall be filled in the same manner as the original appointment.

(E) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Committee have been appointed, the Committee shall hold the first meeting.

(F) MEETINGS.—The Committee shall meet at the call of the Chairperson.

(G) QUORUM.—A majority of the members of the Committee shall constitute a quorum, but a lesser number of members may hold hearings.

(H) CHAIRPERSON AND VICE CHAIRPERSON.—The Committee shall select a Chairperson and Vice Chairperson from among the members.

(2) DUTIES OF THE COMMITTEE.—

(A) STUDY.—The Committee shall conduct a thorough study of all matters relating to the modernization of the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(B) RECOMMENDATIONS.—The Committee shall develop recommendations for legislation to improve the Indian Dams Safety Act of 1994 (25 U.S.C. 3801 et seq.).

(C) REPORT.—Not later than 1 year after the date on which the Committee holds the first meeting, the Committee shall submit a report containing a detailed statement of the findings and conclusions of the Committee, together with recommendations for legislation that the Committee considers appropriate, to—

(i) the Committee on Indian Affairs of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(3) POWERS OF THE COMMITTEE.—

(A) HEARINGS.—The Committee may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Committee considers appropriate to carry out this paragraph.

(B) INFORMATION FROM FEDERAL AGENCIES.—

(i) IN GENERAL.—The Committee may secure directly from any Federal department or agency such information as the Committee considers necessary to carry out this paragraph.

(ii) REQUEST.—On request of the Chairperson of the Committee, the head of any Federal department or agency shall furnish information described in clause (i) to the Committee.

(C) POSTAL SERVICES.—The Committee may use the United States mails in the same manner and under the same conditions as

other departments and agencies of the Federal Government.

(D) GIFTS.—The Committee may accept, use, and dispose of gifts or donations of services or property.

(4) COMMITTEE PERSONNEL MATTERS.—

(A) COMPENSATION OF MEMBERS.—

(i) NON-FEDERAL MEMBERS.—Each member of the Committee who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Committee.

(ii) FEDERAL MEMBERS.—Each member of the Committee who is an officer or employee of the Federal Government shall serve without compensation in addition to that received for services as an officer or employee of the Federal Government.

(B) TRAVEL EXPENSES.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(C) STAFF.—

(i) IN GENERAL.—

(I) APPOINTMENT.—The Chairperson of the Committee may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Committee to perform the duties of the Committee.

(II) CONFIRMATION.—The employment of an executive director shall be subject to confirmation by the Committee.

(ii) COMPENSATION.—The Chairperson of the Committee may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of that title.

(D) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Committee without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(E) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Committee may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(5) TERMINATION OF THE COMMITTEE.—The Committee shall terminate 90 days after the date on which the Committee submits the report under paragraph (2)(C).

(6) FUNDING.—Of the amounts authorized to be expended from either Fund, $1,000,000 shall be made available from either Fund during fiscal year 2017 to carry out this subsection, to remain available until expended.

(e) INDIAN DAM SURVEYS.—

(1) TRIBAL REPORTS.—The Secretary shall request that, not less frequently than once every 180 days, each Indian tribe submit to the Secretary a report providing an inventory of the dams located on the land of the Indian tribe.

(2) BIA REPORTS.—Not less frequently than once each year, the Secretary shall submit to Congress a report describing the condition of each dam under the partial or total jurisdiction of the Secretary.

(f) FLOOD PLAIN MANAGEMENT PILOT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish, within the Bureau of Indian Affairs, a flood plain management pilot program (referred to in this subsection as the ''program'') to provide, at the request of an Indian tribe, guidance to the Indian tribe relating to best practices for the mitigation and prevention of floods, including consultation with the Indian tribe on—

(A) flood plain mapping; or

(B) new construction planning.

(2) TERMINATION.—The program shall terminate on the date that is 4 years after the date of enactment of this Act.

(3) FUNDING.—Of the amounts authorized to be expended from either Fund, $250,000 shall be made available from either Fund during each of fiscal years 2017, 2018, and 2019 to carry out this subsection, to remain available until expended.

TITLE IV—RIVER BASINS, WATERSHEDS, AND COASTAL AREAS

SEC. 4001. GULF COAST OYSTER BED RECOVERY PLAN.

(a) DEFINITION OF GULF STATES.—In this section, the term ''Gulf States'' means each of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

(b) GULF COAST OYSTER BED RECOVERY PLAN.—The Secretary, in coordination with the Gulf States, shall develop and implement a plan to assist in the recovery of oyster beds on the coast of Gulf States that were damaged by events including—

(1) Hurricane Katrina in 2005;

(2) the Deep Water Horizon oil spill in 2010; and

(3) floods in 2011 and 2016.

(c) INCLUSION.—The plan developed under subsection (b) shall address the beneficial use of dredged material in providing substrate for oyster bed development.

(d) SUBMISSION.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee of Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the plan developed under subsection (b).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $2,000,000, to remain available until expended.

SEC. 4002. COLUMBIA RIVER, PLATTE RIVER, AND ARKANSAS RIVER.

(a) ECOSYSTEM RESTORATION.—Section 536(g) of the Water Resources Development Act of 2000 (Public Law 106–541; 114 Stat. 2662; 128 Stat. 1314) is amended by striking ''$50,000,000'' and inserting ''$75,000,000''.

(b) WATERCRAFT INSPECTION STATIONS.—Section 104 of the River and Harbor Act of 1958 (33 U.S.C. 610) is amended—

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

''(b) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated such sums as are necessary, but not more than $65,000,000, to carry out this section for each fiscal year, of which—

''(A) $20,000,000 shall be made available to carry out subsection (d)(1)(A)(i); and

''(B) $25,000,000 shall be made available to carry out clauses (ii) and (iii) of subsection (d)(1)(A).

''(2) ALLOCATION.—Any funds made available under paragraph (1) that are employed for control operations shall be allocated by the Chief of Engineers on a priority basis, based on—

''(A) the urgency and need of each area; and

''(B) the availability of local funds.''; and

(2) in subsection (d)—

(A) by striking paragraph (1) and inserting the following:

''(1) ESTABLISHMENT, OPERATION, AND MAINTENANCE.—

''(A) IN GENERAL.—In carrying out this section, the Secretary may establish, operate, and maintain watercraft inspection stations to protect—

''(i) the Columbia River Basin;

''(ii) the Platte River Basin located in the States of Colorado, Nebraska, and Wyoming; and

''(iii) the Arkansas River Basin located in the States of Arkansas, Colorado, Kansas, New Mexico, Oklahoma, and Texas.

''(B) LOCATION.—The watercraft inspection stations under subparagraph (A) shall be located in areas, as determined by the Secretary, with the highest likelihood of preventing the spread of aquatic invasive species at reservoirs operated and maintained by the Secretary.''; and

(B) in paragraph (3), by striking subparagraph (A) and inserting the following:

''(A) the Governor of each State in which a station is established under paragraph (1);''.

(c) TRIBAL HOUSING.—

(1) DEFINITION OF REPORT.—In this subsection, the term ''report'' means the final report for the Portland District, Corps of Engineers, entitled ''Columbia River Treaty Fishing Access Sites, Oregon and Washington: Fact-finding Review on Tribal Housing'' and dated November 19, 2013.

(2) ASSISTANCE AUTHORIZED.—As replacement housing for Indian families displaced due to the construction of the Bonneville Dam, on the request of the Secretary of the Interior, the Secretary may provide assistance on land transferred by the Department of the Army to the Department of the Interior pursuant to title IV of Public Law 100–581 (102 Stat. 2944; 110 Stat. 766; 110 Stat. 3762; 114 Stat. 2679; 118 Stat. 544) for the number of families estimated in the report as having received no relocation assistance.

(3) STUDY.—The Secretary shall—

(A) conduct a study to determine the number of Indian people displaced by the construction of the John Day Dam; and

(B) identify a plan for suitable housing to replace housing lost to the construction of the John Day Dam.

(d) COLUMBIA AND LOWER WILLAMETTE RIVERS BELOW VANCOUVER, WASHINGTON AND OREGON.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Columbia and Lower Willamette Rivers below Vancouver, Washington and Portland, Oregon, authorized by section 101 of the River and Harbor Act of 1962 (Public Law 87–874; 76 Stat. 1177) to address safety risks.

SEC. 4003. MISSOURI RIVER.

(a) RESERVOIR SEDIMENT MANAGEMENT.—

(1) DEFINITION OF SEDIMENT MANAGEMENT PLAN.—In this subsection, the term ''sediment management plan'' means a plan for preventing sediment from reducing water storage capacity at a reservoir and increasing water storage capacity through sediment removal at a reservoir.

(2) UPPER MISSOURI RIVER BASIN PILOT PROGRAM.—The Secretary shall carry out a pilot program for the development and implementation of sediment management plans for reservoirs owned and operated by the Secretary in the Upper Missouri River Basin, on request by project beneficiaries.

(3) PLAN ELEMENTS.—A sediment management plan under paragraph (2) shall—

(A) provide opportunities for project beneficiaries and other stakeholders to participate in sediment management decisions;

(B) evaluate the volume of sediment in a reservoir and impacts on storage capacity;

(C) identify preliminary sediment management options, including sediment dikes and dredging;

(D) identify constraints;

(E) assess technical feasibility, economic justification, and environmental impacts;

(F) identify beneficial uses for sediment; and

(G) to the maximum extent practicable, use, develop, and demonstrate innovative, cost-saving technologies, including structural and nonstructural technologies and designs, to manage sediment.

(4) COST SHARE.—The beneficiaries requesting the plan shall share in the cost of development and implementation of a sediment management plan allocated in accordance with the benefits to be received.

(5) CONTRIBUTED FUNDS.—The Secretary may accept funds from non-Federal interests and other Federal agencies to develop and implement a sediment management plan under this subsection.

(6) GUIDANCE.—The Secretary shall use the knowledge gained through the development and implementation of sediment management plans under paragraph (2) to develop guidance for sediment management at other reservoirs.

(7) PARTNERSHIP WITH SECRETARY OF THE INTERIOR.—

(A) IN GENERAL.—The Secretary shall carry out the pilot program established under this subsection in partnership with the Secretary of the Interior, and the program may apply to reservoirs managed or owned by the Bureau of Reclamation on execution of a memorandum of agreement between the Secretary and the Secretary of the Interior establishing the framework for a partnership and the terms and conditions for sharing expertise and resources.

(B) LEAD AGENCY.—The Secretary that has primary jurisdiction over the reservoir shall take the lead in developing and implementing a sediment management plan for that reservoir.

(8) OTHER AUTHORITIES NOT AFFECTED.—Nothing in this subsection affects sediment management or the share of costs paid by Federal and non-Federal interests relating to sediment management under any other provision of law (including regulations).

(b) SNOWPACK AND DROUGHT MONITORING.—Section 4003(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1311) is amended by adding at the end the following:

''(5) LEAD AGENCY.—The Corps of Engineers shall be the lead agency for carrying out and coordinating the activities described in paragraph (1).''.

SEC. 4004. PUGET SOUND NEARSHORE ECOSYSTEM RESTORATION.

Section 544(f) of the Water Resources Development Act of 2000 (Public Law 106–541; 114 Stat. 2675) is amended by striking ''$5,000,000'' and inserting ''$10,000,000''.

SEC. 4005. ICE JAM PREVENTION AND MITIGATION.

(a) IN GENERAL.—The Secretary may carry out projects under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), including planning, design, construction, and monitoring of structural and nonstructural technologies and measures for preventing and mitigating flood damages associated with ice jams.

(b) INCLUSION.—The projects described in subsection (a) may include the development and demonstration of cost-effective technologies and designs developed in consultation with—

(1) the Cold Regions Research and Engineering Laboratory of the Corps of Engineers;

(2) universities;

(3) Federal, State, and local agencies; and

(4) private organizations.

(c) PILOT PROGRAM.—

(1) AUTHORIZATION.—In addition to the funding authorized under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), the Secretary is authorized to expend $30,000,000 to carry out pilot projects to demonstrate technologies and designs developed in accordance with this section.

(2) PRIORITY.—In carrying out pilot projects under paragraph (1), the Secretary shall give priority to projects in the Upper Missouri River Basin.

(3) SUNSET.—The pilot program under this subsection shall terminate on December 31, 2026.

SEC. 4006. CHESAPEAKE BAY OYSTER RESTORATION.

Section 704(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2263(b)(1)) is amended by striking ''$60,000,000'' and inserting ''$100,000,000''.

SEC. 4007. NORTH ATLANTIC COASTAL REGION.

Section 4009 of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1316) is amended—

(1) in subsection (a), by striking ''conduct a study to determine the feasibility of carrying out projects'' and inserting ''develop a comprehensive assessment and management plan at Federal expense'';

(2) in subsection (b), by striking the subsection designation and heading and all that follows through ''In carrying out the study'' and inserting the following:

''(b) ASSESSMENT AND MANAGEMENT PLAN.—In developing the comprehensive assessment and management plan''; and

(3) in subsection (c)(1), in the matter preceding subparagraph (A), by striking ''identified in the study pursuant to subsection (a)'' and inserting ''identified in the comprehensive assessment and management plan under this section''.

SEC. 4008. RIO GRANDE.

Section 5056(f) of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1214; 128 Stat. 1315) is amended by striking ''2019'' and inserting ''2024''.

SEC. 4009. TEXAS COASTAL AREA.

In carrying out the Coastal Texas ecosystem protection and restoration study authorized by section 4091 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1187), the Secretary shall consider studies, data, or information developed by the Gulf Coast Community Protection and Recovery District to expedite completion of the study.

SEC. 4010. UPPER MISSISSIPPI AND ILLINOIS RIVERS FLOOD RISK MANAGEMENT.

(a) IN GENERAL.—The Secretary shall conduct a study at Federal expense to determine the feasibility of carrying out projects to address systemic flood damage reduction in the upper Mississippi and Illinois River basins.

(b) PURPOSE.—The purposes of the study under subsection (a) are—

(1) to develop an integrated, comprehensive, and systems-based approach to minimize the threat to health and safety resulting from flooding by using structural and nonstructural flood risk management measures;

(2) to reduce damages and costs associated with flooding;

(3) to identify opportunities to support environmental sustainability and restoration goals of the Upper Mississippi River and Illinois River floodplain as part of any systemic flood risk management plan; and

(4) to seek opportunities to address, in concert with flood risk management measures, other floodplain specific problems, needs, and opportunities.

(c) STUDY COMPONENTS.—In carrying out the study under subsection (a), the Secretary shall—

(1) as appropriate, coordinate with the heads of other appropriate Federal agencies, the Governors of the States within the Upper Mississippi and Illinois River basins, the appropriate levee and drainage districts, nonprofit organizations, and other interested parties;

(2) recommend projects for reconstruction of existing levee systems so as to develop and maintain a comprehensive system for flood risk reduction and floodplain management;

(3) perform a systemic analysis of critical transportation systems to determine the feasibility of protecting river approaches for land-based systems, highways, and railroads;

(4) develop a basin-wide hydrologic model for the Upper Mississippi River System and update as changes occur and new data is available; and

(5) use, to the maximum extent practicable, any existing plans and data.

(d) BASIS FOR RECOMMENDATIONS.—In recommending a project under subsection (c)(2), the Secretary may justify the project based on system-wide benefits.

SEC. 4011. SALTON SEA, CALIFORNIA.

Section 3032 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1113) is amended—

(1) in the section heading, by inserting ''**PROGRAM**'' after ''**RESTORATION**'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''PILOT PROJECTS'' and inserting ''PROGRAM'';

(B) in paragraph (1)—

(i) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

(ii) by inserting before subparagraph (B) (as redesignated) the following:

''(A) ESTABLISHMENT.—The Secretary shall carry out a program to implement projects to restore the Salton Sea in accordance with this section.'';

(iii) in subparagraph (B) (as redesignated by clause (i)), by striking ''the pilot''; and

(iv) in subparagraph (C) (as redesignated by clause (i))—

(I) in clause (i), in the matter preceding subclause (I), by striking ''the pilot projects referred to in subparagraph (A)'' and inserting ''the projects referred to in subparagraph (B)'';

(II) in subclause (I), by inserting '', Salton Sea Authority, or other non-Federal interest'' before the semicolon at the end; and

(III) in subclause (II), by striking ''pilot'';

(C) in paragraph (2), in the matter preceding subparagraph (A), by striking ''pilot''; and

(D) in paragraph (3)—

(i) by striking ''pilot'' each place it appears; and

(ii) by inserting '', Salton Sea Authority, or other non-Federal interest'' after ''State''; and

(3) in subsection (c), by striking ''pilot''.

SEC. 4012. ADJUSTMENT.

Section 219(f)(25) of the Water Resources Development Act of 1992 (Public Law 102–580; 113 Stat. 336) is amended—

(1) by inserting ''Berkeley'' before ''Calhoun''; and

(2) by striking ''Orangeberg, and Sumter'' and inserting ''and Orangeberg''.

SEC. 4013. COASTAL RESILIENCY.

(a) IN GENERAL.—Section 4014(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2803a(b)) is amended—

(1) in paragraph (1), by inserting ''Indian tribes,'' after ''nonprofit organizations,'';

(2) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(3) by inserting after paragraph (2) the following:

''(3) give priority to projects in communities the existence of which is threatened by rising sea level, including projects relating to shoreline restoration, tidal marsh restoration, dunal habitats to protect coastal infrastructure, reduction of future and existing emergency repair costs, and projects that use dredged materials;''.

(b) INTERAGENCY COORDINATION ON COASTAL RESILIENCE.—

(1) IN GENERAL.—The Secretary shall convene an interagency working group on resilience to extreme weather, which will coordinate research, data, and Federal investments related to sea level rise, resiliency, and vulnerability to extreme weather, including coastal resilience.

(2) CONSULTATION.—The interagency working group convened under paragraph (1) shall—

(A) participate in any activity carried out by an organization authorized by a State to study and issue recommendations on how to address the impacts on Federal assets of recurrent flooding and sea level rise, including providing consultation regarding policies, programs, studies, plans, and best practices relating to recurrent flooding and sea level rise in areas with significant Federal assets; and

(B) share physical, biological, and socioeconomic data among such State organizations, as appropriate.

SEC. 4014. REGIONAL INTERGOVERNMENTAL COLLABORATION ON COASTAL RESILIENCE.

(a) REGIONAL ASSESSMENTS.—

(1) IN GENERAL.—The Secretary may conduct regional assessments of coastal and back bay protection and of Federal and State policies and programs related to coastal water resources, including—

(A) an assessment of the probability and the extent of coastal flooding and erosion, including back bay and estuarine flooding;

(B) recommendations for policies and other measures related to regional Federal, State, local, and private participation in shoreline and back-bay protection projects;

(C) an evaluation of the performance of existing Federal coastal storm damage reduction, ecosystem restoration, and navigation projects, including recommendations for the improvement of those projects;

(D) an assessment of the value and impacts of implementation of regional, systems-based, watershed-based, and interstate approaches if practicable;

(E) recommendations for the demonstration of methodologies for resilience through the use of natural and nature-based infrastructure approaches, as appropriate; and

(F) recommendations regarding alternative sources of funding for new and existing projects.

(2) COOPERATION.—In carrying out paragraph (1), the Secretary shall cooperate with—

(A) heads of appropriate Federal agencies;

(B) States that have approved coastal management programs and appropriate agencies of those States;

(C) local governments; and

(D) the private sector.

(b) STREAMLINING.—In carrying out this section, the Secretary shall—

(1) to the maximum extent practicable, use existing research done by Federal, State, regional, local, and private entities to eliminate redundancies and related costs;

(2) receive from any of the entities described in subsection (a)(2)—

(A) contributed funds; or

(B) research that may be eligible for credit as work-in-kind under applicable Federal law; and

(3) enable each District or combination of Districts of the Corps of Engineers that jointly participate in carrying out an assessment under this section to consider regionally appropriate engineering, biological, ecological, social, economic, and other factors in carrying out the assessment.

(c) REPORTS.—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives all reports and recommendations prepared under this section, together with any necessary supporting documentation.

SEC. 4015. SOUTH ATLANTIC COASTAL STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study of the coastal areas located within the geographical boundaries of the South Atlantic Division of the Corps of Engineers to identify the risks and vulnerabilities of those areas to increased hurricane and storm damage as a result of sea level rise.

(b) REQUIREMENTS.—In carrying out the study under subsection (a), the Secretary shall—

(1) conduct a comprehensive analysis of current hurricane and storm damage reduction measures with an emphasis on regional sediment management practices to sustainably maintain or enhance current levels of storm protection;

(2) identify risks and coastal vulnerabilities in the areas affected by sea level rise;

(3) recommend measures to address the vulnerabilities described in paragraph (2); and

(4) develop a long-term strategy for—

(A) addressing increased hurricane and storm damages that result from rising sea levels; and

(B) identifying opportunities to enhance resiliency, increase sustainability, and lower risks in—

(i) populated areas;

(ii) areas of concentrated economic development; and

(iii) areas with vulnerable environmental resources.

(c) CONSULTATION.—The Secretary shall coordinate, as appropriate, with the heads of other Federal departments and agencies, the Governors of the affected States, regional governmental agencies, and units of local government to address coastal impacts resulting from sea level rise.

(d) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report recommending specific and detailed actions to address risks and vulnerabilities of the areas described in subsection (a) to increased hurricane and storm damage as a result of sea level rise.

SEC. 4016. KANAWHA RIVER BASIN.

The Secretary shall conduct studies to determine the feasibility of implementing projects for flood risk management, ecosystem restoration, navigation, water supply, recreation, and other water resource related purposes within the Kanawha River Basin, West Virginia, Virginia, and North Carolina.

SEC. 4017. CONSIDERATION OF FULL ARRAY OF MEASURES FOR COASTAL RISK REDUCTION.

(a) DEFINITIONS.—In this section:

(1) NATURAL FEATURE.—The term ''natural feature'' means a feature that is created through the action of physical, geological, biological, and chemical processes over time.

(2) NATURE-BASED FEATURE.—The term ''nature-based feature'' means a feature that is created by human design, engineering, and construction to protect, and in concert with, natural processes to provide risk reduction in coastal areas.

(b) REQUIREMENT.—In developing projects for coastal risk reduction, the Secretary shall consider, as appropriate—

(1) natural features;

(2) nature-based features;

(3) nonstructural measures; and

(4) structural measures.

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than February 1, 2020, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the implementation of subsection (b).

(2) CONTENTS.—The report under paragraph (1) shall include, at a minimum, the following:

(A) A description of guidance or instructions issued, and other measures taken, by the Secretary and the Chief of Engineers to implement subsection (b).

(B) An assessment of the costs, benefits, impacts, and trade-offs associated with measures recommended by the Secretary for coastal risk reduction and the effectiveness of those measures.

(C) A description of any statutory, fiscal, or regulatory barriers to the appropriate consideration and use of a full array of measures for coastal risk reduction.

SEC. 4018. WATERFRONT COMMUNITY REVITALIZATION AND RESILIENCY.

(a) FINDINGS.—Congress finds that—

(1) many communities in the United States were developed along waterfronts;

(2) water proximity and access is a recognized economic driver;

(3) water shortages faced by parts of the United States underscore the need to manage water sustainably and restore water quality;

(4) interest in waterfront revitalization and development has grown, while the circumstances driving waterfront development have changed;

(5) waterfront communities face challenges to revitalizing and leveraging water resources, such as outdated development patterns, deteriorated water infrastructure, industrial contamination of soil and sediment, and lack of public access to the waterfront, which are often compounded by overarching economic distress in the community;

(6) public investment in waterfront community development and infrastructure should reflect changing ecosystem conditions and extreme weather projections to ensure strategic, resilient investments;

(7) individual communities have unique priorities, concerns, and opportunities related to waterfront restoration and community revitalization; and

(8) the Secretary of Commerce has unique expertise in Great Lakes and ocean coastal resiliency and economic development.

(b) DEFINITIONS.—In this section:

(1) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(2) RESILIENT WATERFRONT COMMUNITY.—The term ''resilient waterfront community'' means a unit of local government or Indian tribe that is—

(A)(i) bound in part by—

(I) a Great Lake; or

(II) an ocean; or

(ii) bordered or traversed by a riverfront or an inland lake;

(B) self-nominated as a resilient waterfront community; and

(C) designated by the Secretary as a resilient waterfront community on the basis of

the development by the community of an eligible resilient waterfront community plan, with eligibility determined by the Secretary after considering the requirements of paragraphs (2) and (3) of subsection (c).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(c) RESILIENT WATERFRONT COMMUNITIES DESIGNATION.—

(1) DESIGNATION.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall designate resilient waterfront communities based on the extent to which a community meets the criteria described in paragraph (2).

(B) COLLABORATION.—For inland lake and riverfront communities, in making the designation described in subparagraph (A), the Secretary shall work with the Administrator of the Environmental Protection Agency and the heads of other Federal agencies, as the Secretary determines to be necessary.

(2) RESILIENT WATERFRONT COMMUNITY PLAN.—A resilient waterfront community plan is a community-driven vision and plan that is developed—

(A) voluntarily at the discretion of the community—

(i) to respond to local needs; or

(ii) to take advantage of new water-oriented opportunities;

(B) with the leadership of the relevant governmental entity or Indian tribe with the active participation of—

(i) community residents;

(ii) utilities; and

(iii) interested business and nongovernmental stakeholders;

(C) as a new document or by amending or compiling community planning documents, as necessary, at the discretion of the Secretary;

(D) in consideration of all applicable Federal and State coastal zone management planning requirements;

(E) to address economic competitive strengths; and

(F) to complement and incorporate the objectives and recommendations of applicable regional economic plans.

(3) COMPONENTS OF A RESILIENT WATERFRONT COMMUNITY PLAN.—A resilient waterfront community plan shall—

(A) consider all, or a portion of, the waterfront area and adjacent land and water to which the waterfront is connected ecologically, economically, or through local governmental or tribal boundaries;

(B) describe a vision and plan for the community to develop as a vital and resilient waterfront community, integrating consideration of—

(i) the economic opportunities resulting from water proximity and access, including—

(I) water-dependent industries;

(II) water-oriented commerce; and

(III) recreation and tourism;

(ii) the community relationship to the water, including—

(I) quality of life;

(II) public health;

(III) community heritage; and

(IV) public access, particularly in areas in which publicly funded ecosystem restoration is underway;

(iii) ecosystem challenges and projections, including unresolved and emerging impacts to the health and safety of the waterfront and projections for extreme weather and water conditions;

(iv) infrastructure needs and opportunities, to facilitate strategic and sustainable capital investments in—

(I) docks, piers, and harbor facilities;

(II) protection against storm surges, waves, and flooding;

(III) stormwater, sanitary sewer, and drinking water systems, including green infrastructure and opportunities to control nonpoint source runoff; and

(IV) other community facilities and private development; and

(v) such other factors as are determined by the Secretary to align with metrics or indicators for resiliency, considering environmental and economic changes.

(4) DURATION.—After the designation of a community as a resilient waterfront community under paragraph (1), a resilient waterfront community plan developed in accordance with paragraphs (2) and (3) may be—

(A) effective for the 10-year period beginning on the date on which the Secretary approves the resilient waterfront community plan; and

(B) updated by the resilient waterfront community and submitted to the Secretary for the approval of the Secretary before the expiration of the 10-year period.

(d) RESILIENT WATERFRONT COMMUNITIES NETWORK.—

(1) IN GENERAL.—The Secretary shall develop and maintain a resilient waterfront communities network to facilitate the sharing of best practices among waterfront communities.

(2) PUBLIC RECOGNITION.—In consultation with designated resilient waterfront communities, the Secretary shall provide formal public recognition of the designated resilient waterfront communities to promote tourism, investment, or other benefits.

(e) WATERFRONT COMMUNITY REVITALIZATION ACTIVITIES.—

(1) IN GENERAL.—To support a community in leveraging other sources of public and private investment, the Secretary may use existing authority to support—

(A) the development of a resilient waterfront community plan, including planning and feasibility analysis; and

(B) the implementation of strategic components of a resilient waterfront community plan after the resilient waterfront community plan has been approved by the Secretary.

(2) NON-FEDERAL PARTNERS.—

(A) LEAD NON-FEDERAL PARTNERS.—A unit of local government or an Indian tribe shall be eligible to be considered as a lead non-Federal partner if the unit of local government or Indian tribe is—

(i) bound in part by—

(I) a Great Lake; or

(II) an ocean; or

(ii) bordered or traversed by a riverfront or an inland lake.

(B) NON-FEDERAL IMPLEMENTATION PARTNERS.—Subject to paragraph (4)(C), a lead non-Federal partner may contract with an eligible non-Federal implementation partner for implementation activities described in paragraph (4)(B).

(3) PLANNING ACTIVITIES.—

(A) IN GENERAL.—Technical assistance may be provided for the development of a resilient waterfront community plan.

(B) ELIGIBLE PLANNING ACTIVITIES.—In developing a resilient waterfront community plan, a resilient waterfront community may—

(i) conduct community visioning and outreach;

(ii) identify challenges and opportunities;

(iii) develop strategies and solutions;

(iv) prepare plan materials, including text, maps, design, and preliminary engineering;

(v) collaborate across local agencies and work with regional, State, and Federal agencies to identify, understand, and develop responses to changing ecosystem and economic circumstances; and

(vi) conduct other planning activities that the Secretary considers necessary for the development of a resilient waterfront community plan that responds to revitalization and resiliency issues confronted by the resilient waterfront community.

(4) IMPLEMENTATION ACTIVITIES.—

(A) IN GENERAL.—Implementation assistance may be provided—

(i) to initiate implementation of a resilient waterfront community plan and facilitate high-quality development, including leveraging local and private sector investment; and

(ii) to address strategic community priorities that are identified in the resilient waterfront community plan.

(B) ASSISTANCE.—Assistance may be provided to advance implementation activities, such as—

(i) site preparation;

(ii) environmental review;

(iii) engineering and design;

(iv) acquiring easements or land for uses such as green infrastructure, public amenities, or assembling development sites;

(v) updates to zoning codes;

(vi) construction of—

(I) public waterfront or boating amenities; and

(II) public spaces;

(vii) infrastructure upgrades to improve coastal resiliency;

(viii) economic and community development marketing and outreach; and

(ix) other activities at the discretion of the Secretary.

(C) IMPLEMENTATION PARTNERS.—

(i) IN GENERAL.—To assist in the completion of implementation activities, a lead non-Federal partner may contract or otherwise collaborate with a non-Federal implementation partner, including—

(I) a nonprofit organization;

(II) a public utility;

(III) a private entity;

(IV) an institution of higher education;

(V) a State government; or

(VI) a regional organization.

(ii) LEAD NON-FEDERAL PARTNER RESPONSIBILITY.—The lead non-Federal partner shall ensure that assistance and resources received by the lead non-Federal partner to advance the resilient waterfront community plan of the lead non-Federal partner and for related activities are used for the purposes of, and in a manner consistent with, any initiative advanced by the Secretary for the purpose of promoting waterfront community revitalization and resiliency.

(5) USE OF NON-FEDERAL RESOURCES.—

(A) IN GENERAL.—A resilient waterfront community receiving assistance under this subsection shall provide non-Federal funds toward completion of planning or implementation activities.

(B) NON-FEDERAL RESOURCES.—Non-Federal funds may be provided by—

(i) 1 or more units of local or tribal government;

(ii) a State government;

(iii) a nonprofit organization;

(iv) a private entity;

(v) a foundation;

(vi) a public utility; or

(vii) a regional organization.

(f) INTERAGENCY AWARENESS.—At regular intervals, the Secretary shall provide a list of resilient waterfront communities to the applicable States and the heads of national and regional offices of interested Federal agencies, including at a minimum—

(1) the Secretary of Transportation;

(2) the Secretary of Agriculture;

(3) the Administrator of the Environmental Protection Agency;

(4) the Administrator of the Federal Emergency Management Agency;

(5) the Assistant Secretary of the Army for Civil Works;

(6) the Secretary of the Interior; and

(7) the Secretary of Housing and Urban Development.

(g) NO NEW REGULATORY AUTHORITY.—Nothing in this section may be construed as establishing new authority for any Federal agency.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $50,000,000 for each of fiscal years 2017 through 2021.

(i) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section $800,000, to remain available until expended.

SEC. 4019. TABLE ROCK LAKE, ARKANSAS AND MISSOURI.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary—

(1) shall include a 60-day public comment period for the Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan revision; and

(2) shall finalize the revision for the Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan during the 2-year period beginning on the date of enactment of this Act.

(b) SHORELINE USE PERMITS.—During the period described in subsection (a)(2), the Secretary shall lift or suspend the moratorium on the issuance of new, and modifications to existing, shoreline use permits based on the existing Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan.

(c) OVERSIGHT COMMITTEE.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall establish an oversight committee (referred to in this subsection as the ''Committee'').

(2) PURPOSES.—The purposes of the Committee shall be—

(A) to review any permit to be issued under the existing Table Rock Lake Master Plan at the recommendation of the District Engineer; and

(B) to advise the District Engineer on revisions to the new Table Rock Lake Master Plan and Table Rock Lake Shoreline Management Plan.

(3) MEMBERSHIP.—Membership in the Committee shall not exceed 6 members and shall include—

(A) not more than 1 representative each from the State of Missouri and the State of Arkansas;

(B) not more than 1 representative each from local economic development organizations with jurisdiction over Table Rock Lake; and

(C) not more than 1 representative each representing the boating and conservation interests of Table Rock Lake.

(4) STUDY.—The Secretary shall—

(A) carry out a study on the need to revise permit fees relating to Table Rock Lake to better reflect the cost of issuing those fees and achieve cost savings;

(B) submit to Congress a report on the results of the study described in subparagraph (A); and

(C) begin implementation of the new permit fee structure based on the findings of the study described in subparagraph (A).

SEC. 4020. PEARL RIVER BASIN, MISSISSIPPI.

The Secretary shall expedite review and decision on the recommendation for the project for flood damage reduction authorized by section 401(e)(3) of the Water Resources Development Act of 1986 (100 Stat. 4132), as amended by section 3104 of the Water Resources Development Act of 2007 (121 Stat. 1134), submitted to the Secretary under section 211 of the Water Resources Development Act of 1996 (33 U.S.C. 701b–13) (as in effect on the day before the date of enactment of the Water Resources Reform and Development Act of 2014).

TITLE V—DEAUTHORIZATIONS

SEC. 5001. DEAUTHORIZATIONS.

(a) VALDEZ, ALASKA.—

(1) IN GENERAL.—Subject to paragraph (2), the portions of the project for navigation, Valdez, Alaska, identified as Tract G, Harbor Subdivision, shall not be subject to navigation servitude beginning on the date of enactment of this Act.

(2) ENTRY BY FEDERAL GOVERNMENT.—The Federal Government may enter on the property referred to in paragraph (1) to carry out any required operation and maintenance of the general navigation features of the project described in paragraph (1).

(b) RED RIVER BELOW DENISON DAM, ARKANSAS, LOUISIANA, AND TEXAS.—The portion of the project for flood protection on Red River Below Denison Dam, Arkansas, Louisiana and Texas, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 647, chapter 596), consisting of the portion of the West Agurs Levee that begins at lat. 32°32'50.86'' N ., by long. 93°46'16.82'' W., and ends at lat. 32° 31'22.79'' N., by long. 93° 45' 2.47'' W., is no longer authorized beginning on the date of enactment of this Act.

(c) SUTTER BASIN, CALIFORNIA.—

(1) IN GENERAL.—The separable element constituting the locally preferred plan increment reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction under section 7002(2)(8) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1366) is no longer authorized beginning on the date of enactment of this Act.

(2) SAVINGS PROVISIONS.—The deauthorization under paragraph (1) does not affect—

(A) the national economic development plan separable element reflected in the report of the Chief of Engineers dated March 12, 2014, and authorized for construction under section 7002(2)(8) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1366); or

(B) previous authorizations providing for the Sacramento River and major and minor tributaries project, including—

(i) section 2 of the Act of March 1, 1917 (39 Stat. 949; chapter 144);

(ii) section 12 of the Act of December 22, 1944 (58 Stat. 900; chapter 665);

(iii) section 204 of the Flood Control Act of 1950 (64 Stat. 177; chapter 188); and

(iv) any other Acts relating to the authorization for the Sacramento River and major and minor tributaries project along the Feather River right bank between levee stationing 1483+33 and levee stationing 2368+00.

(d) STONINGTON HARBOR, CONNECTICUT.—The portion of the project for navigation, Stonington Harbor, Connecticut, authorized by the Act of May 23, 1828 (4 Stat. 288; chapter 73) that consists of the inner stone breakwater that begins at coordinates N. 682,146.42, E. 1231,378.69, running north 83.587 degrees west 166.79' to a point N. 682,165.05, E. 1,231,212.94, running north 69.209 degrees west 380.89' to a point N. 682,300.25, E. 1,230,856.86, is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(e) GREEN RIVER AND BARREN RIVER, KENTUCKY.—

(1) IN GENERAL.—Beginning on the date of enactment of this Act, commercial navigation at the locks and dams identified in the report of the Chief of Engineers entitled ''Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1, Kentucky'' and dated April 30, 2015, shall no longer be authorized, and the land and improvements associated with the locks and dams shall be—

(A) disposed of consistent with paragraph (2); and

(B) subject to such terms and conditions as the Secretary determines to be necessary and appropriate in the public interest.

(2) DISPOSITION.—

(A) GREEN RIVER LOCK AND DAM 3.—The Secretary shall convey to the Rochester Dam Regional Water Commission all right, title, and interest of the United States in and to Green River Lock and Dam 3, located in Ohio County and Muhlenberg County, Kentucky, together with any improvements on the land.

(B) GREEN RIVER LOCK AND DAM 4.—The Secretary shall convey to Butler County, Kentucky, all right, title, and interest of the United States in and to Green River Lock and Dam 4, located in Butler County, Kentucky, together with any improvements on the land.

(C) GREEN RIVER LOCK AND DAM 5.—The Secretary shall convey to the State of Kentucky, a political subdivision of the State of Kentucky, or a nonprofit, nongovernmental organization all right, title, and interest of the United States in and to Green River Lock and Dam 5 for the express purposes of—

(i) removing the structure from the river at the earliest feasible time; and

(ii) making the land available for conservation and public recreation, including river access.

(D) GREEN RIVER LOCK AND DAM 6.—

(i) IN GENERAL.—The Secretary shall transfer to the Secretary of the Interior administrative jurisdiction over the portion of Green River Lock and Dam 6, Edmonson County, Kentucky, that is located on the left descending bank of the Green River, together with any improvements on the land, for inclusion in Mammoth Cave National Park.

(ii) TRANSFER TO THE STATE OF KENTUCKY.—The Secretary shall transfer to the State of Kentucky all right, title, and interest of the United States in and to the portion of Green River Lock and Dam 6, Edmonson County, Kentucky, that is located on the right descending bank of the Green River, together with any improvements on the land, for use by the Department of Fish and Wildlife Resources of the State of Kentucky for the purposes of—

(I) removing the structure from the river at the earliest feasible time; and

(II) making the land available for conservation and public recreation, including river access.

(E) BARREN RIVER LOCK AND DAM 1.—The Secretary shall convey to the State of Kentucky, all right, title, and interest of the United States in and to Barren River Lock and Dam 1, located in Warren County, Kentucky, together with any improvements on the land, for use by the Department of Fish and Wildlife Resources of the State of Kentucky for the purposes of—

(i) removing the structure from the river at the earliest feasible time; and

(ii) making the land available for conservation and public recreation, including river access.

(3) CONDITIONS.—

(A) IN GENERAL.—The exact acreage and legal description of any land to be disposed of, transferred, or conveyed under this subsection shall be determined by a survey satisfactory to the Secretary.

(B) QUITCLAIM DEED.—A conveyance under subparagraph (A), (B), (D), or (E) of paragraph (2) shall be accomplished by quitclaim deed and without consideration.

(C) ADMINISTRATIVE COSTS.—The Secretary shall be responsible for all administrative costs associated with a transfer or conveyance under this subsection, including the costs of a survey carried out under subparagraph (A).

(D) REVERSION.—If the Secretary determines that the land transferred or conveyed under this subsection is not used by a non-Federal entity for a purpose that is consistent with the purpose of the transfer or conveyance, all right, title, and interest in and to the land, including any improvements on the land, shall revert, at the discretion of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the land.

(f) ESSEX RIVER, MASSACHUSETTS.—

(1) IN GENERAL.—The portions of the project for navigation, Essex River, Massachusetts, authorized by the first section of the Act of July 13, 1892 (27 Stat. 96, chapter 158), and modified by the first section of the Act of March 3, 1899 (30 Stat. 1133, chapter 425), and the first section of the Act of March 2, 1907 (34 Stat. 1075, chapter 2509), that do not lie within the areas described in paragraph (2) are no longer authorized beginning on the date of enactment of this Act.

(2) AREAS DESCRIBED.—The areas described in this paragraph are—

(A) beginning at a point N. 3056139.82, E. 851780.21;

(B) running southwesterly about 156.88 feet to a point N. 3055997.75, E. 851713.67;

(C) running southwesterly about 64.59 feet to a point N. 3055959.37, E. 851661.72;

(D) running southwesterly about 145.14 feet to a point N. 3055887.10, E. 851535.85;

(E) running southwesterly about 204.91 feet to a point N. 3055855.12, E. 851333.45;

(F) running northwesterly about 423.50 feet to a point N. 3055976.70, E. 850927.78;

(G) running northwesterly about 58.77 feet to a point N. 3056002.99, E. 850875.21;

(H) running northwesterly about 240.57 feet to a point N. 3056232.82, E. 850804.14;

(I) running northwesterly about 203.60 feet to a point N. 3056435.41, E. 850783.93;

(J) running northwesterly about 78.63 feet to a point N. 3056499.63, E. 850738.56;

(K) running northwesterly about 60.00 feet to a point N. 3056526.30, E. 850684.81;

(L) running southwesterly about 85.56 feet to a point N. 3056523.33, E. 850599.31;

(M) running southwesterly about 36.20 feet to a point N. 3056512.37, E. 850564.81;

(N) running southwesterly about 80.10 feet to a point N. 3056467.08, E. 850498.74;

(O) running southwesterly about 169.05 feet to a point N. 3056334.36, E. 850394.03;

(P) running northwesterly about 48.52 feet to a point N. 3056354.38, E. 850349.83;

(Q) running northeasterly about 83.71 feet to a point N. 3056436.35, E. 850366.84;

(R) running northeasterly about 212.38 feet to a point N. 3056548.70, E. 850547.07;

(S) running northeasterly about 47.60 feet to a point N. 3056563.12, E. 850592.43;

(T) running northeasterly about 101.16 feet to a point N. 3056566.62, E. 850693.53;

(U) running southeasterly about 80.22 feet to a point N. 3056530.97, E. 850765.40;

(V) running southeasterly about 99.29 feet to a point N. 3056449.88, E. 850822.69;

(W) running southeasterly about 210.12 feet to a point N. 3056240.79, E. 850843.54;

(X) running southeasterly about 219.46 feet to a point N. 3056031.13, E. 850908.38;

(Y) running southeasterly about 38.23 feet to a point N. 3056014.02, E. 850942.57;

(Z) running southeasterly about 410.93 feet to a point N. 3055896.06, E. 851336.21;

(AA) running northeasterly about 188.43 feet to a point N. 3055925.46, E. 851522.33;

(BB) running northeasterly about 135.47 feet to a point N. 3055992.91, E. 851639.80;

(CC) running northeasterly about 52.15 feet to a point N. 3056023.90, E. 851681.75; and

(DD) running northeasterly about 91.57 feet to a point N. 3056106.82, E. 851720.59.

(g) HANNIBAL SMALL BOAT HARBOR, HANNIBAL, MISSOURI.—The project for navigation at Hannibal Small Boat Harbor on the Mississippi River, Hannibal, Missouri, authorized by section 101 of the River and Harbor Act of 1950 (Public Law 81–516; 64 Stat. 166, chapter 188), is no longer authorized beginning on the date of enactment of this Act, and any maintenance requirements associated with the project are terminated.

(h) PORT OF CASCADE LOCKS, OREGON.—

(1) TERMINATION OF PORTIONS OF EXISTING FLOWAGE EASEMENT.—

(A) DEFINITION OF FLOWAGE EASEMENT.—In this paragraph, the term ''flowage easement'' means the flowage easements identified as tracts 302E-1 and 304E-1 on the easement deeds recorded as instruments in Hood River County, Oregon, as follows:

(i) A flowage easement dated October 3, 1936, recorded December 1, 1936, book 25 at page 531 (records of Hood River County, Oregon), in favor of United States (302E-1-Perpetual Flowage Easement from October 5, 1937, October 5, 1936, and October 3, 1936) (previously acquired as tracts OH-36 and OH-41 and a portion of tract OH-47).

(ii) A flowage easement recorded October 17, 1936, book 25 at page 476 (records of Hood River County, Oregon), in favor of the United States, that affects that portion below the 94-foot contour line above main sea level (304 E-1-Perpetual Flowage Easement from August 10, 1937 and October 3, 1936) (previously acquired as tract OH-42 and a portion of tract OH-47).

(B) TERMINATION.—With respect to the properties described in paragraph (2), beginning on the date of enactment of this Act, the flowage easements are terminated above elevation 82.4 feet (NGVD29), the ordinary high water mark.

(2) AFFECTED PROPERTIES.—The properties described in this paragraph, as recorded in Hood River, County, Oregon, are as follows:

(A) Lots 3, 4, 5, and 7 of the ''Port of Cascade Locks Business Park'' subdivision, instrument #2014-00436.

(B) Parcels 1, 2, and 3 of Hood River County Partition plat No. 2008-25P.

(3) FEDERAL LIABILITIES; CULTURAL, ENVIRONMENTAL, OTHER REGULATORY REVIEWS.—

(A) FEDERAL LIABILITY.—The United States shall not be liable for any injury caused by the termination of the easement under this subsection.

(B) CULTURAL AND ENVIRONMENTAL REGULATORY ACTIONS.—Nothing in this subsection establishes any cultural or environmental regulation relating to the properties described in paragraph (2).

(4) EFFECT ON OTHER RIGHTS.—Nothing in this subsection affects any remaining right or interest of the Corps of Engineers in the properties described in paragraph (2).

(i) DECLARATIONS OF NON-NAVIGABILITY FOR PORTIONS OF THE DELAWARE RIVER, PHILADELPHIA, PENNSYLVANIA.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), unless the Secretary determines, after consultation with local and regional public officials (including local and regional project planning organizations), that there are substantive objections, the following portions of the Delaware River, bounded by the former bulkhead and pierhead lines established by the Secretary of War and successors, are declared to be non-navigable waters of the United States:

(A) Piers 70 South through 38 South, encompassing an area bounded by the southern line of Moore Street extended to the northern line of Catherine Street extended, including the following piers: Piers 70, 68, 67, 64, 61-63, 60, 57, 55, 46, 48, 40, and 38.

(B) Piers 24 North through 72 North, encompassing an area bounded by the southern line of Callowhill Street extended to the northern line of East Fletcher Street extended, including the following piers: 24, 25, 27-35, 35.5, 36, 37, 38, 39, 49, 51-52, 53-57, 58-65, 66, 67, 69, 70-72, and Rivercenter.

(2) DETERMINATION.—The Secretary shall make the determination under paragraph (1) separately for each portion of the Delaware River described in subparagraphs (A) and (B) of paragraph (1), using reasonable discretion, by not later than 150 days after the date of submission of appropriate plans for that portion.

(3) LIMITS ON APPLICABILITY.—

(A) IN GENERAL.—Paragraph (1) applies only to those parts of the areas described in that paragraph that are or will be bulkheaded and filled or otherwise occupied by permanent structures, including marina and recreation facilities.

(B) OTHER FEDERAL LAWS.—Any work described in subparagraph (A) shall be subject to all applicable Federal law (including regulations), including—

(i) sections 9 and 10 of the Act of March 3, 1899 (commonly known as the ''River and Harbors Appropriation Act of 1899'') (33 U.S.C. 401, 403);

(ii) section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344); and

(iii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(j) SALT CREEK, GRAHAM, TEXAS.—

(1) IN GENERAL.—The project for flood control, environmental restoration, and recreation, Salt Creek, Graham, Texas, authorized by section 101(a)(30) of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 278-279), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) CERTAIN PROJECT-RELATED CLAIMS.—The non-Federal sponsor for the project described in paragraph (1) shall hold and save the United States harmless from any claim that has arisen, or that may arise, in connection with the project.

(3) TRANSFER.—The Secretary is authorized to transfer any land acquired by the Federal Government for the project on behalf of the non-Federal sponsor that remains in Federal ownership on or after the date of enactment of this Act to the non-Federal sponsor.

(4) REVERSION.—If the Secretary determines that the land that is integral to the project described in paragraph (1) ceases to be owned by the public, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

SEC. 5002. CONVEYANCES.

(a) PEARL RIVER, MISSISSIPPI AND LOUISIANA.—

(1) IN GENERAL.—The project for navigation, Pearl River, Mississippi and Louisiana, authorized by the first section of the Act of August 30, 1935 (49 Stat. 1033, chapter 831) and section 101 of the River and Harbor Act of 1966 (Public Law 89–789; 80 Stat. 1405), is no longer authorized as a Federal project beginning on the date of enactment of this Act.

(2) TRANSFER.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Secretary is authorized to convey to a State or local interest, without consideration, all right, title, and interest of the United States in and to—

(i) any land in which the Federal Government has a property interest for the project described in paragraph (1); and

(ii) improvements to the land described in clause (i).

(B) RESPONSIBILITY FOR COSTS.—The transferee shall be responsible for the payment of all costs and administrative expenses associated with any transfer carried out pursuant to subparagraph (A), including costs associated with any land survey required to determine the exact acreage and legal description of the land and improvements to be transferred.

(C) OTHER TERMS AND CONDITIONS.—A transfer under subparagraph (A) shall be subject to such other terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(3) REVERSION.—If the Secretary determines that the land and improvements conveyed under paragraph (2) ceases to be owned by the public, all right, title, and interest in and to the land and improvements shall revert, at the discretion of the Secretary, to the United States.

(b) SARDIS LAKE, MISSISSIPPI.—

(1) IN GENERAL.—The Secretary is authorized to convey to the lessee, at full fair market value, all right, title and interest of the United Sates in and to the property identified in the leases numbered DACW38-1-15-7, DACW38-1-15-33, DACW38-1-15-34, and DACW38-1-15-38, subject to such terms and conditions as the Secretary determines to be necessary and appropriate to protect the interests of the United States.

(2) EASEMENT AND RESTRICTIVE COVENANT.—The conveyance under paragraph (1) shall include—

(A) a restrictive covenant to require the approval of the Secretary for any substantial change in the use of the property; and

(B) a flowage easement.

(c) PENSACOLA DAM AND RESERVOIR, GRAND RIVER, OKLAHOMA.—

(1) IN GENERAL.—Notwithstanding the Act of June 28, 1938 (52 Stat. 1215, chapter 795), as amended by section 3 of the Act of August 18, 1941 (55 Stat. 645, chapter 377), and notwithstanding section 3 of the Act of July 31, 1946 (60 Stat. 744, chapter 710), the Secretary shall convey, by quitclaim deed and without consideration, to the Grand River Dam Authority, an agency of the State of Oklahoma, for flood control purposes, all right, title, and interest of the United States in and to real property under the administrative jurisdiction of the Secretary acquired in connection with the Pensacola Dam project, together with any improvements on the property.

(2) FLOOD CONTROL PURPOSES.—If any interest in the real property described in paragraph (1) ceases to be managed for flood control or other public purposes and is conveyed to a non-public entity, the transferee, as part of the conveyance, shall pay to the United States the fair market value for the interest.

(3) NO EFFECT.—Nothing in this subsection—

(A) amends, modifies, or repeals any existing authority vested in the Federal Energy Regulatory Commission; or

(B) amends, modifies, or repeals any authority of the Secretary or the Chief of Engineers pursuant to section 7 of the Act of December 22, 1944 (33 U.S.C. 709).

(d) JOE POOL LAKE, TEXAS.—The Secretary shall accept from the Trinity River Authority of Texas, if received by December 31, 2016, $31,233,401 as payment in full of amounts owed to the United States, including any accrued interest, for the approximately 61,747.1 acre-feet of water supply storage space in Joe Pool Lake, Texas (previously known as Lakeview Lake), for which payment has not commenced under Article 5.a (relating to project investment costs) of contract number DACW63–76–C–0106 as of the date of enactment of this Act.

(e) WEBER BASIN PROJECT, UTAH.—

(1) IN GENERAL.—The Secretary of the Interior shall allow for the prepayment of repayment obligations under the repayment contract numbered 14-06-400-33 between the United States and the Weber Basin Water Conservancy District (referred to in this subsection as the ''District''), dated December 12, 1952, and supplemented and amended on June 30, 1961, on April 15, 1966, on September 20, 1968, and on May 9, 1985, including any other amendments and all related applicable contracts to the repayment contract, providing for repayment of Weber Basin Project construction costs allocated to irrigation and municipal and industrial purposes for which repayment is provided pursuant to the repayment contract under terms and conditions similar to the terms and conditions used in implementing the prepayment provisions in section 210 of the Central Utah Project Completion Act (Public Law 102–575; 106 Stat. 4624) for prepayment of Central Utah Project, Bonneville Unit repayment obligations.

(2) AUTHORIZATIONS AND REQUIREMENTS.—The prepayment authorized under paragraph (1) —

(A) shall result in the United States recovering the net present value of all repayment streams that would have been payable to the United States if this section was not in effect;

(B) may be provided in several installments;

(C) may not be adjusted on the basis of the type of prepayment financing used by the District; and

(D) shall be made in a manner that provides that total repayment is made not later than September 30, 2026.

TITLE VI—WATER RESOURCES INFRASTRUCTURE

SEC. 6001. AUTHORIZATION OF FINAL FEASIBILITY STUDIES.

The following final feasibility studies for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the plan, and subject to the conditions, described in the respective reports designated in this section:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Brazos Island Harbor	November 3, 2014	Federal: $116,116,000 Non-Federal: $135,836,000 Total: $251,952,000
2. LA	Calcasieu Lock	December 2, 2014	Federal: $16,700,000 Non-Federal: $0 Total: $16,700,000
3. NH, ME	Portsmouth Harbor and Piscataqua River	February 8, 2015	Federal: $15,580,000 Non-Federal: $5,190,000 Total: $20,770,000
4. KY	Green River Locks and Dams 3, 4, 5, and 6 and Barren River Lock and Dam 1 Disposition	April 30, 2015	Federal: $0 Non-Federal: $0 Total: $0
5. FL	Port Everglades	June 25, 2015	Federal: $220,200,000 Non-Federal: $102,500,000 Total: $322,700,000
6. AK	Little Diomede	August 10, 2015	Federal: $26,015,000 Non-Federal: $2,945,000 Total: $28,960,000
7. SC	Charleston Harbor	September 8, 2015	Federal: $224,300,000 Non-Federal: $269,000,000 Total: $493,300,000
8. AK	Craig Harbor	March 16, 2016	Federal: $29,062,000 Non-Federal: $3,255,000 Total: $32,317,000
9. PA	Upper Ohio River, Allegheny and Beaver Counties	September 12, 2016	Federal: $1,324,235,500 Non-Federal: $1,324,235,500 Total: $2,648,471,000

(2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Leon Creek Watershed, San Antonio	June 30, 2014	Federal: $18,314,000 Non-Federal: $9,861,000 Total: $28,175,000
2. MO, KS	Armourdale and Central Industrial District Levee Units, Missouri River and Tributaries at Kansas City	January 27, 2015	Federal: $207,036,000 Non-Federal: $111,481,000 Total: $318,517,000
3. KS	City of Manhattan	April 30, 2015	Federal: $15,440,100 Non-Federal: $8,313,900 Total: $23,754,000
4. KS	Upper Turkey Creek Basin	December 22, 2015	Federal: $24,584,000 Non-Federal: $13,238,000 Total: $37,822,000
5. NC	Princeville	February 23, 2016	Federal: $14,001,000 Non-Federal: $7,539,000 Total: $21,540,000
6. CA	West Sacramento	April 26, 2016	Federal: $776,517,000 Non-Federal: $414,011,000 Total: $1,190,528,000
7. CA	American River Watershed Common Features	April 26, 2016	Federal: $876,478,000 Non-Federal: $689,272,000 Total: $1,565,750,000
8. TN	Mill Creek, Nashville	October 15, 2015	Federal: $17,759,000 Non-Federal: $10,745,000 Total: $28,504,000

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
1. SC	Edisto Beach, Colleton County	September 5, 2014	Initial Federal: $13,733,850 Initial Non-Federal: $7,395,150 Initial Total: $21,129,000 Renourishment Federal: $16,371,000 Renourishment Non-Federal: $16,371,000 Renourishment Total: $32,742,000
2. FL	Flagler County	December 23, 2014	Initial Federal: $9,218,300 Initial Non-Federal: $4,963,700 Initial Total: $14,182,000 Renourishment Federal: $15,390,000 Renourishment Non-Federal: $15,390,000 Renourishment Total: $30,780,000
3. NC	Bogue Banks, Carteret County	December 23, 2014	Initial Federal: $24,263,000 Initial Non-Federal: $13,064,000 Initial Total: $37,327,000 Renourishment Federal: $114,728,000 Renourishment Non-Federal: $114,728,000 Renourishment Total: $229,456,000
4. NJ	Hereford Inlet to Cape May Inlet, New Jersey Shoreline Protection Project, Cape May County	January 23, 2015	Initial Federal: $14,040,000 Initial Non-Federal: $7,560,000 Initial Total: $21,600,000 Renourishment Federal: $41,215,000 Renourishment Non-Federal: $41,215,000 Renourishment Total: $82,430,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Initial Costs and Estimated Renourishment Costs
5. LA	West Shore Lake Pontchartrain	June 12, 2015	Federal: $466,760,000 Non-Federal: $251,330,000 Total: $718,090,000
6. CA	Encinitas-Solana Beach Coastal Storm Damage Reduction	April 29, 2016	Initial Federal: $20,166,000 Initial Non-Federal: $10,858,000 Initial Total: $31,024,000 Renourishment Federal: $68,215,000 Renourishment Non-Federal: $68,215,000 Renourishment Total: $136,430,000
7. LA	Southwest Coastal Louisiana	July 29, 2016	Federal: $2,011,279,000 Non-Federal: $1,082,997,000 Total: $3,094,276,000

(4) FLOOD RISK MANAGEMENT AND ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. IL, WI	Upper Des Plaines River and Tributaries	June 8, 2015	Federal: $199,393,000 Non-Federal: $107,694,000 Total: $307,087,000
2. CA	South San Francisco Bay Shoreline	December 18, 2015	Federal: $69,521,000 Non-Federal: $104,379,000 Total: $173,900,000

(5) ENVIRONMENTAL RESTORATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. FL	Central Everglades Planning Project, Comprehensive Everglades Restoration Plan, Central and Southern Florida Project	December 23, 2014	Federal: $976,375,000 Non-Federal: $974,625,000 Total: $1,951,000,000
2. OR	Lower Willamette River Environmental Dredging	December 14, 2015	Federal: $19,143,000 Non-Federal: $10,631,000 Total: $29,774,000
3. WA	Skokomish River	December 14, 2015	Federal: $12,782,000 Non-Federal: $6,882,000 Total: $19,664,000
4. CA	LA River Ecosystem Restoration	December 18, 2015	Federal: $375,773,000 Non-Federal: $980,835,000 Total: $1,356,608,000

(6) SPECIAL RULE.—The portion of the Mill Creek Flood Risk Management project authorized by paragraph (2) that consists of measures within the Mill Creek Basin shall be carried out pursuant to section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

SEC. 6002. AUTHORIZATION OF PROJECT MODIFICATIONS RECOMMENDED BY THE SECRETARY.

The following project modifications for water resources development and conservation and other purposes are authorized to be carried out by the Secretary substantially in accordance with the recommendations of the Director of Civil Works, as specified in the reports referred to in this section:

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
1. KS, MO	Turkey Creek Basin	November 4, 2015	Estimated Federal: $97,067,750 Estimated Non-Federal: $55,465,250 Total: $152,533,000

A. State	B. Name	C. Date of Director's Report	D. Updated Authorization Project Costs
2. MO	Blue River Basin	November 6, 2015	Estimated Federal: $34,860,000 Estimated Non-Federal: $11,620,000 Total: $46,480,000
3. FL	Picayune Strand	March 9, 2016	Estimated Federal: $308,983,000 Estimated Non-Federal: $308,983,000 Total: $617,967,000
4. KY	Ohio River Shoreline	March 11, 2016	Estimated Federal: $20,309,900 Estimated Non-Federal: $10,936,100 Total: $31,246,000
5. TX	Houston Ship Channel	May 13, 2016	Estimated Federal: $381,032,000 Estimated Non-Federal: $127,178,000 Total: $508,210,000
6. AZ	Rio de Flag, Flagstaff	June 22, 2016	Estimated Federal: $65,514,650 Estimated Non-Federal: $35,322,350 Total: $100,837,000
7. MO	Swope Park Industrial Area, Blue River	April 21, 2016	Estimated Federal: $20,205,250 Estimated Non-Federal: $10,879,750 Total: $31,085,000

SEC. 6003. AUTHORIZATION OF STUDY AND MODIFICATION PROPOSALS SUBMITTED TO CONGRESS BY THE SECRETARY.

(a) ARCTIC DEEP DRAFT PORT DEVELOPMENT PARTNERSHIPS.—Section 2105 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2243) is amended—

(1) by striking ''(25 U.S.C. 450b))'' each place it appears and inserting ''(25 U.S.C. 5304)) and a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))''; and

(2) by adding at the end the following:

''(e) CONSIDERATION OF NATIONAL SECURITY INTERESTS.—In carrying out a study of the feasibility of an Arctic deep draft port, the Secretary—

''(1) shall consult with the Secretary of Homeland Security and the Secretary of Defense to identify national security benefits associated with an Arctic deep draft port; and

''(2) if appropriate, as determined by the Secretary, may determine a port described in paragraph (1) is feasible based on the benefits described in that paragraph.''.

(b) OUACHITA-BLACK RIVERS, ARKANSAS AND LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Ouachita-Black Rivers, authorized by section 101 of the River and Harbor Act of 1960 (Public Law 86–645; 74 Stat. 481) to include bank stabilization and water supply as project purposes.

(c) CACHE CREEK BASIN, CALIFORNIA.—

(1) IN GENERAL.—The Secretary shall prepare a general reevaluation report on the project for flood control, Cache Creek Basin, California, authorized by section 401(a) of the Water Resources Development Act of 1986 (Public Law 99–662; 100 Stat. 4112).

(2) REQUIREMENTS.—In preparing the report under paragraph (1), the Secretary shall identify specific needed modifications to existing project authorities—

(A) to increase basin capacity;

(B) to decrease the long-term maintenance; and

(C) to provide opportunities for ecosystem benefits for the Sacramento River flood control project.

(d) COYOTE VALLEY DAM, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for flood damage reduction, environmental restoration, and water supply by modifying the Coyote Valley Dam, California.

(e) DEL ROSA DRAINAGE AREA, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and ecosystem restoration in the cities of San Bernardino and Highland, San Bernardino County, California.

(f) MERCED COUNTY, CALIFORNIA.—The Secretary shall prepare a general reevaluation report on the project for flood control, Merced County streams project, California, authorized by section 10 of the Act of December 22, 1944 (58 Stat. 900; chapter 665), to investigate the flood risk management opportunities and improve levee performance along Black Rascal Creek and Bear Creek.

(g) MISSION-ZANJA DRAINAGE AREA, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and ecosystem restoration in the cities of Redlands, Loma Linda, and San Bernardino, California, and unincorporated counties of San Bernardino County, California.

(h) SANTA ANA RIVER BASIN, CALIFORNIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood damage reduction by modifying the San Jacinto and Bautista Creek Improvement Project, part of the Santa Ana River Basin Project in Riverside County, California.

(i) DELAWARE BAY COASTLINE, DELAWARE AND NEW JERSEY-ROOSEVELT INLET-LEWES BEACH, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of modifying the project for shoreline protection and ecosystem restoration, Delaware Bay Coastline, Delaware and New Jersey-Roosevelt Inlet-Lewes Beach, Delaware, authorized by section 101(a)(13) of the Water Resources Development Act of 1999 (Public Law 106–53; 113 Stat. 276), to extend the authorized project limit from the current eastward terminus to a distance of 8,000 feet east of the Roosevelt Inlet east jetty.

(j) MISPILLION INLET, CONCH BAR, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of carrying out a project for navigation and shoreline protection at Mispillion Inlet and Conch Bar, Sussex County, Delaware.

(k) DAYTONA BEACH FLOOD PROTECTION, FLORIDA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control in the city of Daytona Beach, Florida.

(l) BRUNSWICK HARBOR, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Brunswick Harbor, Georgia, authorized by section 101(a)(19) of the Water Resources and Development Act of 1999 (Public Law 106–53; 113 Stat. 277)—

(1) to widen the existing bend in the Federal navigation channel at the intersection of Cedar Hammock and Brunswick Point Cut Ranges; and

(2) to extend the northwest side of the existing South Brunswick River Turning Basin.

(m) SAVANNAH RIVER BELOW AUGUSTA, GEORGIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Savannah River below Augusta, Georgia, authorized by the first section of the Act of July 3, 1930 (46 Stat. 924, chapter 847), to include aquatic ecosystem restoration, water supply, recreation, sediment management, and flood control as project purposes.

(n) DUBUQUE, IOWA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood protection, Dubuque, Iowa, authorized by section 208 of the Flood Control Act of 1965 (Public Law 89–298; 79 Stat. 1086), to increase the level of flood protection and reduce flood damages.

(o) MISSISSIPPI RIVER SHIP CHANNEL, GULF TO BATON ROUGE, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation, Mississippi River Ship Channel, Gulf to Baton Rouge, Louisiana, authorized by section 201(a) of the Harbor Development and Navigation Improvement Act of 1986 (Public Law 99–662; 100 Stat. 4090), to deepen the channel approaches and the associated area on the left descending bank of the Mississippi River between mile 98.3 and mile 100.6 Above Head of Passes (AHP) to a depth equal to the Channel.

(p) ST. TAMMANY PARISH GOVERNMENT COMPREHENSIVE COASTAL MASTER PLAN, LOUISIANA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects described in the St. Tammany Parish Comprehensive Coastal Master Plan for

flood control, shoreline protection, and ecosystem restoration in St. Tammany Parish, Louisiana.

(q) CAYUGA INLET, ITHACA, NEW YORK.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood protection, Great Lakes Basin, authorized by section 203 of the Flood Control Act of 1960 (Public Law 86–645; 74 Stat. 488) to include sediment management as a project purpose on the Cayuga Inlet, Ithaca, New York.

(r) CHAUTAUQUA COUNTY, NEW YORK.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood risk management, navigation, environmental dredging, and ecosystem restoration on the Cattaraugus, Silver Creek, and Chautauqua Lake tributaries in Chautauqua County, New York.

(2) EVALUATION OF POTENTIAL SOLUTIONS.—In conducting the study under paragraph (1), the Secretary shall evaluate potential solutions to flooding from all sources, including flooding that results from ice jams.

(s) DELAWARE RIVER BASIN, NEW YORK, NEW JERSEY, PENNSYLVANIA, DELAWARE.—The Secretary shall conduct a study to determine the feasibility of modifying the operations of the projects for flood control, Delaware River Basin, New York, New Jersey, Pennsylvania, and Delaware, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 644, chapter 596), and section 203 of the Flood Control Act of 1962 (Public Law 87–874; 76 Stat. 1182), to enhance opportunities for ecosystem restoration and water supply.

(t) CINCINNATI, OHIO.—

(1) REVIEW.—The Secretary shall review the Central Riverfront Park Master Plan, dated December 1999, and the Ohio Riverfront Study, Cincinnati, Ohio, dated August 2002, to determine the feasibility of carrying out flood risk reduction, ecosystem restoration, and recreation components beyond the ecosystem restoration and recreation components that were undertaken pursuant to section 5116 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1238) as a second phase of that project.

(2) AUTHORIZATION.—The project authorized under section 5116 of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1238) is modified to authorize the Secretary to undertake the additional flood risk reduction and ecosystem restoration components described in paragraph (1), at a total cost of $30,000,000, if the Secretary determines that the additional flood risk reduction, ecosystem restoration, and recreation components, considered together, are feasible.

(u) TULSA AND WEST TULSA, ARKANSAS RIVER, OKLAHOMA.—

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of modifying the projects for flood risk management, Tulsa and West Tulsa, Oklahoma, authorized by section 3 of the Act of August 18, 1941 (55 Stat. 645; chapter 377).

(2) REQUIREMENTS.—

(A) IN GENERAL.—In carrying out the study under paragraph (1), the Secretary shall address project deficiencies, uncertainties, and significant data gaps, including material, construction, and subsurface, which render the project at risk of overtopping, breaching, or system failure.

(B) ADDRESSING DEFICIENCIES.—In addressing deficiencies under subparagraph (A), the Secretary shall incorporate current design standards and efficiency improvements, including the replacement of mechanical and electrical components at pumping stations, if the incorporation does not significantly change the scope, function, or purpose of the project.

(3) PRIORITIZATION TO ADDRESS SIGNIFICANT RISKS.—In any case in which a levee or levee system (as defined in section 9002 of the Water Resources Reform and Development Act of 2007 (33 U.S.C. 3301)) is classified as a Class I or II under the levee safety action classification tool developed by the Corps of Engineers, the Secretary shall expedite the project for budget consideration.

(v) JOHNSTOWN, PENNSYLVANIA.—The Secretary shall conduct a study to determine the feasibility of modifying the project for flood control, Johnstown, Pennsylvania, authorized by the Act of June 22, 1936 (49 Stat. 1570, chapter 688; 50 Stat. 880) (commonly known as the ''Flood Control Act of 1936''), to include aquatic ecosystem restoration, recreation, sediment management, and increase the level of flood control.

(w) CHACON CREEK, TEXAS.—Notwithstanding any other provision of law (including any resolution of a Committee of Congress), the study conducted by the Secretary described in the resolution adopted by the Committee on Transportation and Infrastructure of the House of Representatives on May 21, 2003, relating to flood damage reduction, environmental restoration and protection, water conservation and supply, water quality, and related purposes in the Rio Grande Watershed below Falcon Dam, shall include the area above Falcon Dam.

(x) CORPUS CHRISTI SHIP CHANNEL, TEXAS.—The Secretary shall conduct a study to determine the feasibility of modifying the project for navigation and ecosystem restoration, Corpus Christi Ship Channel, Texas, authorized by section 1001(40) of the Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1056), to develop and evaluate alternatives that address navigation problems directly affecting the Corpus Christi Ship Channel, La Quinta Channel, and La Quinta Channel Extension, including deepening the La Quinta Channel, 2 turning basins, and the wye at La Quinta Junction.

(y) TRINITY RIVER AND TRIBUTARIES, TEXAS.—

(1) REVIEW.—Not later than 180 days after the date of enactment of this Act, the Secretary shall review the economic analysis of the Center for Economic Development and Research of the University of North Texas entitled ''Estimated Economic Benefits of the Modified Central City Project (Trinity River Vision) in Fort Worth, Texas'' and dated November 2014.

(2) AUTHORIZATION.—The project for flood control and other purposes on the Trinity River and tributaries, Texas, authorized by the River and Harbor Act of 1965 (Public Law 89–298; 79 Stat. 1091), as modified by section 116 the Energy and Water Development Appropriations Act, 2005 (Public Law 108–447; 118 Stat. 2944), is further modified to authorize the Secretary to carry out projects described in the recommended plan of the economic analysis described in paragraph (1), if the Secretary determines, based on the review referred to in paragraph (1), that—

(A) the economic analysis and the process by which the economic analysis was developed complies with Federal law (including regulations) applicable to economic analyses for water resources development projects; and

(B) based on the economic analysis, the recommended plan in the supplement to the final environmental impact statement for the Central City Project, Upper Trinity River entitled ''Final Supplemental No. 1'' is economically justified.

(3) LIMITATION.—The Federal share of the cost of the recommended plan described in paragraph (2) shall not exceed $520,000,000, of which not more than $5,500,000 may be expended to carry out recreation features of the project.

(z) CHINCOTEAGUE ISLAND, VIRGINIA.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for ecosystem restoration and flood control, Chincoteague Island, Virginia, authorized by section 8 of Public Law 89–195 (16 U.S.C. 459f–7) (commonly known as the ''Assateague Island National Seashore Act'') for—

(1) assessing the current and future function of the barrier island, inlet, and coastal bay system surrounding Chincoteague Island;

(2) developing an array of options for resource management; and

(3) evaluating the feasibility and cost associated with sustainable protection and restoration areas.

(aa) BURLEY CREEK WATERSHED, WASHINGTON.—The Secretary shall conduct a study to determine the feasibility of carrying out projects for flood control and aquatic ecosystem restoration in the Burley Creek Watershed, Washington.

SEC. 6004. EXPEDITED COMPLETION OF REPORTS.

The Secretary shall expedite completion of the reports for the following projects, in accordance with section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348), and, if the Secretary determines that a project is justified in the completed report, proceed directly to project preconstruction, engineering, and design in accordance with section 910 of the Water Resources Development Act of 1986 (33 U.S.C. 2287):

(1) The project for navigation, St. George Harbor, Alaska.

(2) The project for flood risk management, Rahway River Basin, New Jersey.

(3) The Hudson-Raritan Estuary Comprehensive Restoration Project.

(4) The project for navigation, Mobile Harbor, Alabama.

SEC. 6005. EXTENSION OF EXPEDITED CONSIDERATION IN SENATE.

Section 7004(b)(4) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1374) is amended by striking ''2018'' and inserting ''2020''.

SEC. 6006. GAO STUDY ON CORPS OF ENGINEERS METHODOLOGY AND PERFORMANCE METRICS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a study of the methodologies and performance metrics used by the Corps of Engineers to calculate benefit-to-cost ratios and evaluate construction projects.

(b) CONSIDERATIONS.—The study under subsection (a) shall address—

(1) whether and to what extent the current methodologies and performance metrics place small and rural geographic areas at a competitive disadvantage;

(2) whether the value of property for which damage would be prevented as a result of a flood risk management project is the best measurement for the primary input in benefit-to-cost calculations for flood risk management projects;

(3) any recommendations for approaches to modify the metrics used to improve benefit-to-cost ratio results for small and rural geographic areas; and

(4) whether a reevaluation of existing approaches and the primary criteria used to calculate the economic benefits of a Corps of Engineers construction project could provide greater construction project completion results for small and rural geographic areas without putting a strain on the budget of the Corps of Engineers.

SEC. 6007. INVENTORY ASSESSMENT.

Not later than 1 year after the date of enactment of this Act, the Secretary shall complete the assessment and inventory required under section 6002(a) of the Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1349).

SEC. 6008. SAINT LAWRENCE SEAWAY MODERNIZATION.

(a) DEFINITIONS.—In this section:

(1) GREAT LAKES REGION.—The term ''Great Lakes region'' means the region comprised of the Great Lakes States.

(2) GREAT LAKES STATES.—The term ''Great Lakes States'' means each of the States of Illinois, Indiana, Michigan, Minnesota, Ohio, Pennsylvania, New York, and Wisconsin.

(3) SEAWAY.—The term ''Seaway'' means the Saint Lawrence Seaway.

(b) STUDY.—

(1) IN GENERAL.—The Comptroller General, in cooperation with appropriate Federal, State, and local authorities, shall conduct a study to—

(A) assess the condition of the Seaway; and

(B) evaluate options available in the 21st century for modernizing the Seaway as a globally significant transportation corridor.

(2) SCOPE OF STUDY.—In conducting the study under paragraph (1), the Comptroller General shall—

(A) assess the condition of the Seaway and the capacity of the Seaway to drive commerce and other economic activity in the Great Lakes region;

(B) detail the importance of the Seaway to the functioning of the United States economy, with an emphasis on the domestic manufacturing sector, including the domestic steel manufacturing industry;

(C) evaluate options—

(i) to modernize physical navigation infrastructure, facilities, and related assets not operated or maintained by the Secretary along the corridor of the Seaway, including an assessment of alternative means for the Great Lakes region to finance large-scale initiatives;

(ii) to increase exports of domestically produced goods and study the trade balance and regional economic impact of the possible increase in imports of agricultural products, steel, aggregates, and other goods commonly transported through the Seaway;

(iii) increase economic activity and development in the Great Lakes region by advancing the multimodal transportation and economic network in the region;

(iv) ensure the competitiveness of the Seaway as a transportation corridor in an increasingly integrated global transportation network; and

(v) attract tourists to the Great Lakes region by improving attractions and removing barriers to tourism and travel throughout the Seaway; and

(D) evaluate the existing and potential financing authorities of the Seaway as compared to other Federal agencies and instrumentalities with development responsibilities.

(3) DEADLINE.—The Comptroller General shall complete the study under paragraph (1) as soon as practicable and not later than 2 years after the date of enactment of this Act.

(4) COORDINATION.—The Comptroller General shall conduct the study under paragraph (1) with input from representatives of the Saint Lawrence Seaway Development Corporation, the Economic Development Administration, the Coast Guard, the Corps of Engineers, the Department of Homeland Security, and State and local entities (including port authorities throughout the Seaway).

(5) REPORT.—The Comptroller General shall submit to Congress a report on the results of the study under paragraph (1) not later than the earlier of—

(A) the date that is 180 days after the date on which the study is completed; or

(B) the date that is 30 months after the date of enactment of this Act.

SEC. 6009. YAZOO BASIN, MISSISSIPPI.

The authority of the Secretary to carry out the project for flood damage reduction, bank stabilization, and sediment and erosion control known as the ''Yazoo Basin, Mississippi, Mississippi Delta Headwaters Project, MS'', authorized by title I of Public Law 98–8 (97 Stat. 22), as amended, shall not be limited by language in reports accompanying appropriations bills.

TITLE VII—SAFE DRINKING WATER AND CLEAN WATER INFRASTRUCTURE

SEC. 7001. DEFINITION OF ADMINISTRATOR.

In this title, the term ''Administrator'' means the Administrator of the Environmental Protection Agency.

SEC. 7002. SENSE OF THE SENATE ON APPROPRIATIONS LEVELS AND FINDINGS ON ECONOMIC IMPACTS.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should provide robust funding for the State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) and the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.).

(b) FINDINGS.—Congress finds, based on an analysis sponsored by the Water Environment Federation and the WateReuse Association of the nationwide impact of State revolving loan fund spending using the IMPLAN economic model developed by the Federal Government, that, in addition to the public health and environmental benefits, the Federal investment in safe drinking water and clean water provides the following benefits:

(1) Generation of significant Federal tax revenue, as evidenced by the following:

(A) Every dollar of a Federal capitalization grant returns $0.21 to the general fund of the Treasury in the form of Federal taxes and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, every dollar of a Federal capitalization grant returns $0.93 in Federal tax revenue.

(B) A combined $34,700,000,000 in capitalization grants for the clean water and state drinking water state revolving loan funds described in subsection (a) over a period of 5 years would generate $7,430,000,000 in Federal tax revenue and, when additional spending from the State revolving loan funds is considered to be the result of leveraging the Federal investment, the Federal investment will result in $32,300,000,000 in Federal tax revenue during that 5-year period.

(2) An increase in employment, as evidenced by the following:

(A) Every $1,000,000 in State revolving loan fund spending generates 16 ½ jobs.

(B) $34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years would result in 506,000 jobs.

(3) An increase in economic output:

(A) Every $1,000,000 in State revolving loan fund spending results in $2,950,000 in output for the economy of the United States.

(B) $34,700,000,000 in Federal capitalization grants for State revolving loan funds over a period of 5 years will generate $102,700,000,000 in total economic output.

Subtitle A—Drinking Water

SEC. 7101. PRECONSTRUCTION WORK.

Section 1452(a)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)(2)) is amended—

(1) by designating the first, second, third, fourth, and fifth sentences as subparagraphs (A), (B), (D), (E), and (F), respectively;

(2) in subparagraph (B) (as designated by paragraph (1)) by striking ''(not'' and inserting ''(including expenditures for planning, design, and associated preconstruction activities, including activities relating to the siting of the facility, but not''; and

(3) by inserting after subparagraph (B) (as designated by paragraph (1)) the following:

''(C) SALE OF BONDS.—Funds may also be used by a public water system as a source of revenue (restricted solely to interest earnings of the applicable State loan fund) or security for payment of the principal and interest on revenue or general obligation bonds issued by the State to provide matching funds under subsection (e), if the proceeds of the sale of the bonds will be deposited in the State loan fund.''.

SEC. 7102. PRIORITY SYSTEM REQUIREMENTS.

Section 1452(b)(3) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)(3)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (D);

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

''(A) DEFINITION OF RESTRUCTURING.—In this paragraph, the term 'restructuring' means changes in operations (including ownership, cooperative partnerships, asset management, consolidation, and alternative water supply).

''(B) PRIORITY SYSTEM.—An intended use plan shall provide, to the maximum extent practicable, that priority for the use of funds be given to projects that—

''(i) address the most serious risk to human health;

''(ii) are necessary to ensure compliance with this title (including requirements for filtration);

''(iii) assist systems most in need on a per-household basis according to State affordability criteria; and

''(iv) improve the sustainability of systems.

''(C) WEIGHT GIVEN TO APPLICATIONS.—After determining project priorities under subparagraph (B), an intended use plan shall provide that the State shall give greater weight to an application for assistance by a community water system if the application includes such information as the State determines to be necessary and contains—

''(i) a description of utility management best practices undertaken by a treatment works applying for assistance, including—

''(I) an inventory of assets, including any lead service lines, and a description of the condition of the assets;

''(II) a schedule for replacement of assets;

''(III) a financing plan that factors in all lifecycle costs indicating sources of revenue from ratepayers, grants, bonds, other loans, and other sources to meet the costs; and

''(IV) a review of options for restructuring the public water system;

''(ii) demonstration of consistency with State, regional, and municipal watershed plans;

''(iii) a water conservation plan consistent with guidelines developed for those plans by the Administrator under section 1455(a); and

''(iv) approaches to improve the sustainability of the system, including—

''(I) water efficiency or conservation, including the rehabilitation or replacement of existing leaking pipes;

''(II) use of reclaimed water;

''(III) actions to increase energy efficiency; and

''(IV) implementation of plans to protect source water identified in a source water assessment under section 1453.''; and

(3) in subparagraph (D) (as redesignated by paragraph (1)), by striking ''periodically'' and inserting ''at least biennially''.

SEC. 7103. ADMINISTRATION OF STATE LOAN FUNDS.

Section 1452(g)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(g)(2)) is amended—

(1) in the first sentence, by striking ''up to 4 percent of the funds allotted to the State under this section'' and inserting '', for each fiscal year, an amount that does not exceed the sum of the amount of any fees collected by the State for use in covering reasonable costs of administration of programs under this section, regardless of the source, and an amount equal to the greatest of $400,000, ⅕ percent of the current valuation of the fund, or 4 percent of all grant awards to the fund under this section for the fiscal year,''; and

(2) by striking ''1419,'' and all that follows through ''1993.'' and inserting ''1419.''.

SEC. 7104. OTHER AUTHORIZED ACTIVITIES.

Section 1452(k) of the Safe Drinking Water Act (42 U.S.C. 300j–12(k)) is amended—

(1) in paragraph (1)(D), by inserting before the period at the end the following: ''and the implementation of plans to protect source water identified in a source water assessment under section 1453''; and

(2) in paragraph (2)(E), by inserting after ''wellhead protection programs'' the following: ''and implement plans to protect source water identified in a source water assessment under section 1453''.

SEC. 7105. NEGOTIATION OF CONTRACTS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) is amended by adding at the end the following:

''(s) NEGOTIATION OF CONTRACTS.—For communities with populations of more than 10,000 individuals, a contract to be carried out using funds directly made available by a capitalization grant under this section for program management, construction management, feasibility studies, preliminary engineering, design, engineering, surveying, mapping, or architectural or related services shall be negotiated in the same manner as—

''(1) a contract for architectural and engineering services is negotiated under chapter 11 of title 40, United States Code; or

''(2) an equivalent State qualifications-based requirement (as determined by the Governor of the State).''.

SEC. 7106. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

(a) IN GENERAL.—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding at the end the following:

''SEC. 1459A. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

''(a) DEFINITION OF UNDERSERVED COMMUNITY.—In this section:

''(1) IN GENERAL.—The term 'underserved community' means a local political subdivision that, as determined by the Administrator, has an inadequate drinking water or wastewater system.

''(2) INCLUSIONS.—The term 'underserved community' includes a local political subdivision that either, as determined by the Administrator—

''(A) does not have household drinking water or wastewater services; or

''(B) has a drinking water system that fails to meet health-based standards under this Act, including—

''(i) a maximum contaminant level for a primary drinking water contaminant;

''(ii) a treatment technique violation; and

''(iii) an action level exceedance.

''(b) ESTABLISHMENT.—

''(1) IN GENERAL.—The Administrator shall establish a program under which grants are provided to eligible entities for use in carrying out projects and activities the primary purposes of which are to assist public water systems in meeting the requirements of this Act.

''(2) INCLUSIONS.—Projects and activities under paragraph (1) include—

''(A) infrastructure investments necessary to comply with the requirements of this Act,

''(B) assistance that directly and primarily benefits the disadvantaged community on a per-household basis, and

''(C) programs to provide household water quality testing, including testing for unregulated contaminants.

''(c) ELIGIBLE ENTITIES.—An entity eligible to receive a grant under this section—

''(1) is—

''(A) a public water system as defined in section 1401;

''(B) a system that is located in an area governed by an Indian Tribe (as defined in section 1401); or

''(C) a State, on behalf of an underserved community; and

''(2) serves a community that, under affordability criteria established by the State under section 1452(d)(3), is determined by the State—

''(A) to be a disadvantaged community;

''(B) to be a community that may become a disadvantaged community as a result of carrying out an eligible activity; or

''(C) to serve a community with a population of less than 10,000 individuals that the Administrator determines does not have the capacity to incur debt sufficient to finance the project under subsection (b).

''(d) PRIORITY.—In prioritizing projects for implementation under this section, the Administrator shall give priority to systems that serve underserved communities.

''(e) LOCAL PARTICIPATION.—In prioritizing projects for implementation under this section, the Administrator shall consult with, and consider the priorities of, affected States, Indian Tribes, and local governments.

''(f) TECHNICAL, MANAGERIAL, AND FINANCIAL CAPABILITY.—The Administrator may provide assistance to increase the technical, managerial, and financial capability of an eligible entity receiving a grant under this section if the Administrator determines that the eligible entity lacks appropriate technical, managerial, and financial capability.

''(g) COST SHARING.—Before carrying out any project under this section, the Administrator shall enter into a binding agreement with 1 or more non-Federal interests that shall require the non-Federal interests—

''(1) to pay not less than 45 percent of the total costs of the project, which may include services, materials, supplies, or other in-kind contributions;

''(2) to provide any land, easements, rights-of-way, and relocations necessary to carry out the project; and

''(3) to pay 100 percent of any operation, maintenance, repair, replacement, and rehabilitation costs associated with the project.

''(h) WAIVER.—The Administrator may waive the requirement to pay the non-Federal share of the cost of carrying out an eligible activity using funds from a grant provided under this section if the Administrator determines that an eligible entity is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) $230,000,000 for fiscal year 2017; and

''(2) $300,000,000 for each of fiscal years 2018 through 2021.''.

(b) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under section 1459A of the Safe Drinking Water Act (as added by subsection (a)), $20,000,000, to remain available until expended.

SEC. 7107. REDUCING LEAD IN DRINKING WATER.

(a) IN GENERAL.—Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 7106) is amended by adding at the end the following:

''SEC. 1459B. REDUCING LEAD IN DRINKING WATER.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a community water system;

''(B) a system located in an area governed by an Indian Tribe;

''(C) a nontransient noncommunity water system;

''(D) a qualified nonprofit organization, as determined by the Administrator; and

''(E) a municipality or State, interstate, or intermunicipal agency.

''(2) LEAD REDUCTION PROJECT.—

''(A) IN GENERAL.—The term 'lead reduction project' means a project or activity the primary purpose of which is to reduce the level of lead in water for human consumption by—

''(i) replacement of publicly owned lead service lines;

''(ii) testing, planning, or other relevant activities, as determined by the Administrator, to identify and address conditions (including corrosion control) that contribute to increased lead levels in water for human consumption;

''(iii) assistance to low-income homeowners to replace privately owned service lines, pipes, fittings, or fixtures that contain lead; and

''(iv) education of consumers regarding measures to reduce exposure to lead from drinking water or other sources.

''(B) LIMITATION.—The term 'lead reduction project' does not include a partial lead service line replacement if, at the conclusion of the service line replacement, drinking water is delivered to a household through a publicly or privately owned portion of a lead service line.

''(3) LOW-INCOME.—The term 'low-income', with respect to an individual provided assistance under this section, has such meaning as may be given the term by the head of the municipality or State, interstate, or intermunicipal agency with jurisdiction over the area to which assistance is provided.

''(4) MUNICIPALITY.—The term 'municipality' means—

''(A) a city, town, borough, county, parish, district, association, or other public entity established by, or pursuant to, applicable State law; and

''(B) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

''(b) GRANT PROGRAM.—

''(1) ESTABLISHMENT.—The Administrator shall establish a grant program to provide assistance to eligible entities for lead reduction projects in the United States.

''(2) PRECONDITION.—As a condition of receipt of assistance under this section, before receiving the assistance the eligible entity shall take steps to identify—

''(A) the source of lead in water for human consumption; and

''(B) the means by which the proposed lead reduction project would reduce lead levels in the applicable water system.

''(3) PRIORITY APPLICATION.—In providing grants under this subsection, the Administrator shall give priority to an eligible entity that—

''(A) the Administrator determines, based on affordability criteria established by the

State under section 1452(d)(3), to be a disadvantaged community; and

''(B) proposes to—

''(i) carry out a lead reduction project at a public water system or nontransient noncommunity water system that has exceeded the lead action level established by the Administrator at any time during the 3-year period preceding the date of submission of the application of the eligible entity;

''(ii) address lead levels in water for human consumption at a school, daycare, or other facility that primarily serves children or other vulnerable human subpopulation; or

''(iii) address such priority criteria as the Administrator may establish, consistent with the goal of reducing lead levels of concern.

''(4) COST SHARING.—

''(A) IN GENERAL.—Subject to subparagraph (B), the non-Federal share of the total cost of a project funded by a grant under this subsection shall be not less than 20 percent.

''(B) WAIVER.—The Administrator may reduce or eliminate the non-Federal share under subparagraph (A) for reasons of affordability, as the Administrator determines to be appropriate.

''(5) LOW-INCOME ASSISTANCE.—

''(A) IN GENERAL.—Subject to subparagraph (B), an eligible entity may use a grant provided under this subsection to provide assistance to low-income homeowners to carry out lead reduction projects.

''(B) LIMITATION.—The amount of a grant provided to a low-income homeowner under this paragraph shall not exceed the cost of replacement of the privately owned portion of the service line.

''(6) SPECIAL CONSIDERATION FOR LEAD SERVICE LINE REPLACEMENT.—In carrying out lead service line replacement using a grant under this subsection, an eligible entity shall—

''(A) notify customers of the replacement of any publicly owned portion of the lead service line;

''(B) in the case of a homeowner who is not low-income, offer to replace the privately owned portion of the lead service line at the cost of replacement;

''(C) in the case of a low-income homeowner, offer to replace the privately owned portion of the lead service line and any pipes, fitting, and fixtures that contain lead at a cost that is equal to the difference between—

''(i) the cost of replacement; and

''(ii) the amount of low-income assistance available to the homeowner under paragraph (5);

''(D) notify each customer that a planned replacement of any publicly owned portion of a lead service line that is funded by a grant made under this subsection will not be carried out unless the customer agrees to the simultaneous replacement of the privately owned portion of the lead service line; and

''(E) demonstrate that the eligible entity has considered options for reducing lead in drinking water, including an evaluation of options for corrosion control.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $60,000,000 for each of fiscal years 2017 through 2021.''.

(b) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under this section under section 1459B of the Safe Drinking Water Act (as added by subsection (a)), $20,000,000, to remain available until expended.

SEC. 7108. REGIONAL LIAISONS FOR MINORITY, TRIBAL, AND LOW-INCOME COMMUNITIES.

(a) IN GENERAL.—The Administrator shall appoint not fewer than 1 employee in each regional office of the Environmental Protection Agency to serve as a liaison to minority, tribal, and low-income communities in the relevant region.

(b) PUBLIC IDENTIFICATION.—The Administrator shall identify each regional liaison selected under subsection (a) on the website of—

(1) the relevant regional office of the Environmental Protection Agency; and

(2) the Office of Environmental Justice of the Environmental Protection Agency.

SEC. 7109. NOTICE TO PERSONS SERVED.

(a) EXCEEDANCE OF LEAD ACTION LEVEL.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g–3(c)) is amended—

(1) in paragraph (1), by adding at the end the following:

''(D) Notice of any exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity.'';

(2) in paragraph (2)—

(A) in subparagraph (C)—

(i) in clause (iii)—

(I) by striking ''Administrator or'' and inserting ''Administrator, the Director of the Centers for Disease Control and Prevention, and, if applicable,''; and

(II) by inserting ''and the appropriate State and county health agencies'' after ''1413'';

(B) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(C) by inserting after subparagraph (C) the following:

''(D) EXCEEDANCE OF LEAD ACTION LEVEL.—Regulations issued under subparagraph (A) shall specify notification procedures for an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412.'';

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(4) by inserting after paragraph (2) the following:

''(3) NOTIFICATION OF THE PUBLIC RELATING TO LEAD.—

''(A) EXCEEDANCE OF LEAD ACTION LEVEL.—Not later than 15 days after the date of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, the Administrator shall notify the public of the concentrations of lead found in the monitoring activity conducted by the public water system if the public water system or the State does not notify the public of the concentrations of lead found in a monitoring activity.

''(B) RESULTS OF LEAD MONITORING.—

''(i) IN GENERAL.—The Administrator may provide notice of any result of lead monitoring conducted by a public water system to—

''(I) any person that is served by the public water system; or

''(II) the local or State health department of a locality or State in which the public water system is located.

''(ii) FORM OF NOTICE.—The Administrator may provide the notice described in clause (i) by—

''(I) press release; or

''(II) other form of communication, including local media.

''(C) PRIVACY.—Notice to the public shall protect the privacy of individual customer information.''; and

(5) by adding at the end the following:

''(6) STRATEGIC PLAN.—Not later than 120 days after the date of enactment of this paragraph, the Administrator, in collaboration with States and owners and operators of public water systems, shall establish a strategic plan for how the Administrator, a State with primary enforcement responsibility, and the owners and operators of public water systems shall conduct targeted outreach, education, technical assistance, and risk communication to populations affected by lead in a public water system.''.

(b) CONFORMING AMENDMENTS.—Section 1414(c) of the Safe Drinking Water Act (42 U.S.C. 300g–3(c)) is amended—

(1) in paragraph (1)(C), by striking ''paragraph (2)(E)'' and inserting ''paragraph (2)(F)'';

(2) in paragraph (2)(B)(i)(II), by striking ''subparagraph (D)'' and inserting ''subparagraph (E)''; and

(3) in paragraph (4)(B) (as redesignated by subsection (a)(3)), in the first sentence, by striking ''(D)'' and inserting ''(E)''.

SEC. 7110. ELECTRONIC REPORTING OF DRINKING WATER DATA.

Section 1414 of the Safe Drinking Water Act (42 U.S.C. 300g–3) is amended by adding at the end the following:

''(j) ELECTRONIC REPORTING OF COMPLIANCE MONITORING DATA.—

''(1) IN GENERAL.—The Administrator shall require electronic submission of available compliance monitoring data, if practicable—

''(A) by public water systems (or a certified laboratory on behalf of a public water system)—

''(i) to the Administrator; or

''(ii) with respect to a public water system in a State that has primary enforcement responsibility under section 1413, to that State; and

''(B) by each State that has primary enforcement responsibility under section 1413 to the Administrator, as a condition on the receipt of funds under this Act.

''(2) CONSIDERATIONS.—In determining whether the requirement referred to in paragraph (1) is practicable, the Administrator shall consider—

''(A) the ability of a public water system (or a certified laboratory on behalf of a public water system) or a State to meet the requirements of sections 3.1 through 3.2000 of title 40, Code of Federal Regulations (or successor regulations);

''(B) information system compatibility;

''(C) the size of the public water system; and

''(D) the size of the community served by the public water system.''.

SEC. 7111. LEAD TESTING IN SCHOOL AND CHILD CARE DRINKING WATER.

(a) IN GENERAL.—Section 1464 of the Safe Drinking Water Act (42 U.S.C. 300j–24) is amended by striking subsection (d) and inserting the following:

''(d) VOLUNTARY SCHOOL AND CHILD CARE LEAD TESTING GRANT PROGRAM.—

''(1) DEFINITIONS.—In this subsection:

''(A) CHILD CARE PROGRAM.—The term 'child care program' has the meaning given the term 'early childhood education program' in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

''(B) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' means—

''(i) a local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

''(ii) a tribal education agency (as defined in section 3 of the National Environmental Education Act (20 U.S.C. 5502)); and

''(iii) an operator of a child care program facility licensed under State law.

''(2) ESTABLISHMENT.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Water Resources Development Act of 2016, the Administrator shall establish a voluntary school and child care lead testing grant program to make grants available to States to assist

local educational agencies in voluntary testing for lead contamination in drinking water at schools and child care programs under the jurisdiction of the local educational agencies.

''(B) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—The Administrator may make grants directly available to local educational agencies for the voluntary testing described in subparagraph (A) in—

''(i) any State that does not participate in the voluntary school and child care lead testing grant program established under that subparagraph; and

''(ii) any direct implementation area.

''(3) APPLICATION.—To be eligible to receive a grant under this subsection, a State or local educational agency shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

''(4) LIMITATION ON USE OF FUNDS.—Not more than 4 percent of grant funds accepted under this subsection shall be used to pay the administrative costs of carrying out this subsection.

''(5) GUIDANCE; PUBLIC AVAILABILITY.—As a condition of receiving a grant under this subsection, the State or local educational agency shall ensure that each local educational agency to which grant funds are distributed shall—

''(A) expend grant funds in accordance with—

''(i) the guidance of the Environmental Protection Agency entitled '3Ts for Reducing Lead in Drinking Water in Schools: Revised Technical Guidance' and dated October 2006 (or any successor guidance); or

''(ii) applicable State regulations or guidance regarding reducing lead in drinking water in schools and child care programs that is not less stringent than the guidance referred to in clause (i); and

''(B)(i) make available in the administrative offices, and to the maximum extent practicable, on the Internet website, of the local educational agency for inspection by the public (including teachers, other school personnel, and parents) a copy of the results of any voluntary testing for lead contamination in school and child care program drinking water that is carried out with grant funds under this subsection; and

''(ii) notify parent, teacher, and employee organizations of the availability of the results described in clause (i).

''(6) MAINTENANCE OF EFFORT.—If resources are available to a State or local educational agency from any other Federal agency, a State, or a private foundation for testing for lead contamination in drinking water, the State or local educational agency shall demonstrate that the funds provided under this subsection will not displace those resources.

''(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $20,000,000 for each of fiscal years 2017 through 2021.''.

(b) REPEAL.—Section 1465 of the Safe Drinking Water Act (42 U.S.C. 300j–25) is repealed.

SEC. 7112. WATERSENSE PROGRAM.

The Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding after Part F the following:

''PART G—ADDITIONAL PROVISIONS

''SEC. 1471. WATERSENSE PROGRAM.

''(a) ESTABLISHMENT OF WATERSENSE PROGRAM.—

''(1) IN GENERAL.—There is established within the Agency a voluntary WaterSense program to identify and promote water-efficient products, buildings, landscapes, facilities, processes, and services that, through voluntary labeling of, or other forms of communications regarding, products, buildings, landscapes, facilities, processes, and services while meeting strict performance criteria, sensibly—

''(A) reduce water use;

''(B) reduce the strain on public and community water systems and wastewater and stormwater infrastructure;

''(C) conserve energy used to pump, heat, transport, and treat water; and

''(D) preserve water resources for future generations.

''(2) INCLUSIONS.—The Administrator shall, consistent with this section, identify water-efficient products, buildings, landscapes, facilities, processes, and services, including categories such as—

''(A) irrigation technologies and services;

''(B) point-of-use water treatment devices;

''(C) plumbing products;

''(D) reuse and recycling technologies;

''(E) landscaping and gardening products, including moisture control or water enhancing technologies;

''(F) xeriscaping and other landscape conversions that reduce water use;

''(G) whole house humidifiers; and

''(H) water-efficient buildings or facilities.

''(b) DUTIES.—The Administrator, coordinating as appropriate with the Secretary of Energy, shall—

''(1) establish—

''(A) a WaterSense label to be used for items meeting the certification criteria established in accordance with this section; and

''(B) the procedure, including the methods and means, and criteria by which an item may be certified to display the WaterSense label;

''(2) enhance public awareness regarding the WaterSense label through outreach, education, and other means;

''(3) preserve the integrity of the WaterSense label by—

''(A) establishing and maintaining feasible performance criteria so that products, buildings, landscapes, facilities, processes, and services labeled with the WaterSense label perform as well or better than less water-efficient counterparts;

''(B) overseeing WaterSense certifications made by third parties;

''(C) as determined appropriate by the Administrator, using testing protocols, from the appropriate, applicable, and relevant consensus standards, for the purpose of determining standards compliance; and

''(D) auditing the use of the WaterSense label in the marketplace and preventing cases of misuse; and

''(4) not more than 6 years after adoption or major revision of any WaterSense specification, review and, if appropriate, revise the specification to achieve additional water savings;

''(5) in revising a WaterSense specification—

''(A) provide reasonable notice to interested parties and the public of any changes, including effective dates, and an explanation of the changes;

''(B) solicit comments from interested parties and the public prior to any changes;

''(C) as appropriate, respond to comments submitted by interested parties and the public; and

''(D) provide an appropriate transition time prior to the applicable effective date of any changes, taking into account the timing necessary for the manufacture, marketing, training, and distribution of the specific water-efficient product, building, landscape, process, or service category being addressed; and

''(6) not later than December 31, 2018, consider for review and revision any WaterSense specification adopted before January 1, 2012.

''(c) TRANSPARENCY.—The Administrator shall, to the maximum extent practicable and not less than annually, regularly estimate and make available to the public the production and relative market shares and savings of water, energy, and capital costs of water, wastewater, and stormwater attributable to the use of WaterSense-labeled products, buildings, landscapes, facilities, processes, and services.

''(d) DISTINCTION OF AUTHORITIES.—In setting or maintaining specifications for Energy Star pursuant to section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a), and WaterSense under this section, the Secretary of Energy and Administrator shall coordinate to prevent duplicative or conflicting requirements among the respective programs.

''(e) NO WARRANTY.—A WaterSense label shall not create an express or implied warranty.''.

SEC. 7113. WATER SUPPLY COST SAVINGS.

(a) FINDINGS.—Congress finds that—

(1) the United States is facing a drinking water infrastructure funding crisis;

(2) the Environmental Protection Agency projects a shortfall of approximately $384,000,000,000 in funding for drinking water infrastructure from 2015 to 2035 and this funding challenge is particularly acute in rural communities in the United States;

(3) there are approximately 52,000 community water systems in the United States, of which nearly 42,000 are small community water systems;

(4) the Drinking Water Needs Survey conducted by the Environmental Protection Agency in 2011 placed the shortfall in drinking water infrastructure funding for small communities, which consist of 3,300 or fewer persons, at $64,500,000,000;

(5) small communities often cannot finance the construction and maintenance of drinking water systems because the cost per resident for the investment would be prohibitively expensive;

(6) drought conditions have placed significant strains on existing surface water supplies;

(7) many communities across the United States are considering the use of groundwater and community well systems to provide drinking water; and

(8) approximately 42,000,000 people in the United States receive drinking water from individual wells and millions more rely on community well systems for drinking water.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that providing rural communities with the knowledge and resources necessary to fully use alternative drinking water systems, including wells and community well systems, can provide safe and affordable drinking water to millions of people in the United States.

(c) DRINKING WATER TECHNOLOGY CLEARINGHOUSE.—The Administrator and the Secretary of Agriculture shall—

(1) update existing programs of the Environmental Protection Agency and the Department of Agriculture designed to provide drinking water technical assistance to include information on cost-effective, innovative, and alternative drinking water delivery systems, including systems that are supported by wells; and

(2) disseminate information on the cost effectiveness of alternative drinking water delivery systems, including wells and well systems, to communities and not-for-profit organizations seeking Federal funding for drinking water systems serving 500 or fewer persons.

(d) WATER SYSTEM ASSESSMENT.—Notwithstanding any other provision of law, in any application for a grant or loan from the Federal Government or a State that is using

Federal assistance for a drinking water system serving 500 or fewer persons, a unit of local government or not-for-profit organization shall self-certify that the unit of local government or organization has considered, as an alternative drinking water supply, drinking water delivery systems sourced by publicly owned—

(1) individual wells;

(2) shared wells; and

(3) community wells.

(e) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Administrator and the Secretary of Agriculture shall submit to Congress a report that describes—

(1) the use of innovative and alternative drinking water systems described in this section;

(2) the range of cost savings for communities using innovative and alternative drinking water systems described in this section; and

(3) the use of drinking water technical assistance programs operated by the Administrator and the Secretary of Agriculture.

SEC. 7114. SMALL SYSTEM TECHNICAL ASSISTANCE.

Section 1452(q) of the Safe Drinking Water Act (42 U.S.C. 300j–12(q)) is amended by striking ''appropriated'' and all that follows through ''2003'' and inserting ''made available for each of fiscal years 2016 through 2021''.

SEC. 7115. DEFINITION OF INDIAN TRIBE.

Section 1401(14) of the Safe Drinking Water Act (42 U.S.C. 300(f)(14)) is amended by striking ''section 1452'' and inserting ''sections 1452, 1459A, and 1459B''.

SEC. 7116. TECHNICAL ASSISTANCE FOR TRIBAL WATER SYSTEMS.

(a) TECHNICAL ASSISTANCE.—Section 1442(e)(7) of the Safe Drinking Water Act (42 U.S.C. 300j–1(e)(7)) is amended by striking ''Tribes'' and inserting ''tribes, including grants to provide training and operator certification services under section 1452(i)(5)''.

(b) INDIAN TRIBES.—Section 1452(i) of the Safe Drinking Water Act (42 U.S.C. 300j–12(i)) is amended—

(1) in paragraph (1), in the first sentence, by striking ''Tribes and Alaska Native villages'' and inserting ''tribes, Alaska Native villages, and, for the purpose of carrying out paragraph (5), intertribal consortia or tribal organizations''; and

(2) by adding at the end the following:

''(5) TRAINING AND OPERATOR CERTIFICATION.—

''(A) IN GENERAL.—The Administrator may use funds made available under this subsection and section 1442(e)(7) to make grants to intertribal consortia or tribal organizations for the purpose of providing operations and maintenance training and operator certification services to Indian tribes.

''(B) ELIGIBLE TRIBAL ORGANIZATIONS.—An intertribal consortium or tribal organization eligible for a grant under subparagraph (A) is an intertribal consortium or tribal organization that—

''(i) is the most qualified to provide training and technical assistance to Indian tribes; and

''(ii) Indian tribes determine to be the most beneficial and effective.''.

SEC. 7117. REQUIREMENT FOR THE USE OF AMERICAN MATERIALS.

Section 1452(a) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)) is amended by adding at the end the following:

''(4) REQUIREMENT FOR THE USE OF AMERICAN MATERIALS.—

''(A) DEFINITION OF IRON AND STEEL PRODUCTS.—In this paragraph, the term 'iron and steel products' means the following products made, in part, of iron or steel:

''(i) Lined or unlined pipe and fittings.

''(ii) Manhole covers and other municipal castings.

''(iii) Hydrants.

''(iv) Tanks.

''(v) Flanges.

''(vi) Pipe clamps and restraints.

''(vii) Valves.

''(viii) Structural steel.

''(ix) Reinforced precast concrete.

''(x) Construction materials.

''(B) REQUIREMENT.—Except as provided in subparagraph (C), funds made available by a State loan fund authorized under this section may not be used for a project for the construction, alteration, maintenance, or repair of a public water system unless all the iron and steel products used in the project are produced in the United States.

''(C) EXCEPTION.—Subparagraph (B) shall not apply in any case or category of cases in which the Administrator finds that—

''(i) applying subparagraph (B) would be inconsistent with the public interest;

''(ii) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

''(iii) inclusion of iron and steel products produced in the United States will increase the cost of the overall product by more than 25 percent.

''(D) PUBLIC NOTICE; WRITTEN JUSTIFICATION.—

''(i) PUBLIC NOTICE.—If the Administrator receives a request for a waiver under this paragraph, the Administrator shall—

''(I) make available to the public on an informal basis, including on the public website of the Administrator—

''(aa) a copy of the request; and

''(bb) any information available to the Administrator regarding the request; and

''(II) provide notice of, and opportunity for informal public comment on, the request for a period of not less than 15 days before making a finding under subparagraph (C).

''(ii) WRITTEN JUSTIFICATION.—If, after the period provided under clause (i), the Administrator makes a finding under subparagraph (C), the Administrator shall publish in the Federal Register a written justification as to why subparagraph (B) is being waived.

''(E) APPLICATION.—This paragraph shall be applied in a manner consistent with United States obligations under international agreements.

''(F) MANAGEMENT AND OVERSIGHT.—The Administrator may use not more than 0.25 percent of any funds made available to carry out this title for management and oversight of the requirements of this paragraph.''.

Subtitle B—Clean Water

SEC. 7201. SEWER OVERFLOW CONTROL GRANTS.

Section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) is amended—

(1) in subsection (a), by striking the subsection designation and heading and all that follows through ''subject to subsection (g), the Administrator may'' in paragraph (2) and inserting the following:

''(a) AUTHORITY.—The Administrator may—

''(1) make grants to States for the purpose of providing grants to a municipality or municipal entity for planning, designing, and constructing—

''(A) treatment works to intercept, transport, control, or treat municipal combined sewer overflows and sanitary sewer overflows; and

''(B) measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water; and

''(2) subject to subsection (g),'';

(2) in subsection (b)—

(A) in paragraph (1), by striking the semicolon at the end and inserting ''; or'';

(B) by striking paragraphs (2) and (3); and

(C) by redesignating paragraph (4) as paragraph (2);

(3) by striking subsections (e) through (g) and inserting the following:

''(e) ADMINISTRATIVE REQUIREMENTS.—

''(1) IN GENERAL.—Subject to paragraph (2), a project that receives grant assistance under subsection (a) shall be carried out subject to the same requirements as a project that receives assistance from a State water pollution control revolving fund established pursuant to title VI.

''(2) DETERMINATION OF GOVERNOR.—The requirement described in paragraph (1) shall not apply to a project that receives grant assistance under subsection (a) to the extent that the Governor of the State in which the project is located determines that a requirement described in title VI is inconsistent with the purposes of this section.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, to remain available until expended—

''(1) $250,000,000 for fiscal year 2017;

''(2) $300,000,000 for fiscal year 2018;

''(3) $350,000,000 for fiscal year 2019;

''(4) $400,000,000 for fiscal year 2020; and

''(5) $500,000,000 for fiscal year 2021.

''(g) ALLOCATION OF FUNDS.—

''(1) FISCAL YEAR 2017 AND 2018.—For each of fiscal years 2017 and 2018, subject to subsection (h), the Administrator shall use the amounts made available to carry out this section to provide grants to municipalities and municipal entities under subsection (a)(2)—

''(A) in accordance with the priority criteria described in subsection (b); and

''(B) with additional priority given to proposed projects that involve the use of—

''(i) nonstructural, low-impact development;

''(ii) water conservation, efficiency, or reuse; or

''(iii) other decentralized stormwater or wastewater approaches to minimize flows into the sewer systems.

''(2) FISCAL YEAR 2019 AND THEREAFTER.—For fiscal year 2019 and each fiscal year thereafter, subject to subsection (h), the Administrator shall use the amounts made available to carry out this section to provide grants to States under subsection (a)(1) in accordance with a formula that—

''(A) shall be established by the Administrator, after providing notice and an opportunity for public comment; and

''(B) allocates to each State a proportional share of the amounts based on the total needs of the State for municipal combined sewer overflow controls and sanitary sewer overflow controls, as identified in the most recent survey—

''(i) conducted under section 210; and

''(ii) included in a report required under section 516(b)(1)(B).''; and

(4) by striking subsection (i).

SEC. 7202. SMALL AND MEDIUM TREATMENT WORKS.

(a) IN GENERAL.—Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

''SEC. 222. TECHNICAL ASSISTANCE FOR SMALL AND MEDIUM TREATMENT WORKS.

''(a) DEFINITIONS.—In this section:

''(1) MEDIUM TREATMENT WORKS.—The term 'medium treatment works' means a publicly owned treatment works serving not fewer than 10,001 and not more than 100,000 individuals.

''(2) QUALIFIED NONPROFIT MEDIUM TREATMENT WORKS TECHNICAL ASSISTANCE PROVIDER.—The term 'qualified nonprofit medium treatment works technical assistance

provider' means a qualified nonprofit technical assistance provider of water and wastewater services to medium-sized communities that provides technical assistance (including circuit rider technical assistance programs, multi-State, regional assistance programs, and training and preliminary engineering evaluations) to owners and operators of medium treatment works, which may include State agencies.

''(3) QUALIFIED NONPROFIT SMALL TREATMENT WORKS TECHNICAL ASSISTANCE PROVIDER.—The term 'qualified nonprofit small treatment works technical assistance provider' means a nonprofit organization that, as determined by the Administrator—

''(A) is the most qualified and experienced in providing training and technical assistance to small treatment works; and

''(B) the small treatment works in the State finds to be the most beneficial and effective.

''(4) SMALL TREATMENT WORKS.—The term 'small treatment works' means a publicly owned treatment works serving not more than 10,000 individuals.

''(b) TECHNICAL ASSISTANCE.—The Administrator may use amounts made available to carry out this section to provide grants or cooperative agreements to qualified nonprofit small treatment works technical assistance providers and grants or cooperative agreements to qualified nonprofit medium treatment works technical assistance providers to provide to owners and operators of small and medium treatment works onsite technical assistance, circuit-rider technical assistance programs, multi-State, regional technical assistance programs, and onsite and regional training, to assist the treatment works in achieving compliance with this Act or obtaining financing under this Act for eligible projects.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) for grants for small treatment works technical assistance, $15,000,000 for each of fiscal years 2017 through 2021; and

''(2) for grants for medium treatment works technical assistance, $10,000,000 for each of fiscal years 2017 through 2021.''.

(b) WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.—

(1) IN GENERAL.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(A) in subsection (d)—

(i) in the matter preceding paragraph (1), by inserting ''and as provided in subsection (e)'' after ''State law'';

(ii) by redesignating subsections (e) through (i) as subsections (f) through (j), respectively; and

(iii) by inserting after subsection (d) the following:

''(e) ADDITIONAL USE OF FUNDS.—A State may use an additional 2 percent of the funds annually allotted to the State under this section for qualified nonprofit small treatment works technical assistance providers and qualified nonprofit medium treatment works technical assistance providers (as those terms are defined in section 222) to provide technical assistance to small treatment works and medium treatment works (as those terms are defined in section 222) in the State.''.

(2) CONFORMING AMENDMENT.—Section 221(d) of the Federal Water Pollution Control Act (33 U.S.C. 1301(d)) is amended by striking ''section 603(h)'' and inserting ''section 603(i)''.

SEC. 7203. INTEGRATED PLANS.

(a) INTEGRATED PLANS.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) INTEGRATED PLAN PERMITS.—

''(1) DEFINITIONS.—In this subsection:

''(A) GREEN INFRASTRUCTURE.—The term 'green infrastructure' means the range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspirate stormwater and reduce flows to sewer systems or to surface waters.

''(B) INTEGRATED PLAN.—The term 'integrated plan' has the meaning given in Part III of the Integrated Municipal Stormwater and Wastewater Planning Approach Framework, issued by the Environmental Protection Agency and dated June 5, 2012.

''(C) MUNICIPAL DISCHARGE.—

''(i) IN GENERAL.—The term 'municipal discharge' means a discharge from a treatment works (as defined in section 212) or a discharge from a municipal storm sewer under subsection(p).

''(ii) INCLUSION.—The term 'municipal discharge' includes a discharge of wastewater or storm water collected from multiple municipalities if the discharge is covered by the same permit issued under this section.

''(2) INTEGRATED PLAN.—

''(A) IN GENERAL.—The Administrator (or a State, in the case of a permit program approved under subsection (b)) shall inform a municipal permittee or multiple municipal permittees of the opportunity to develop an integrated plan.

''(B) SCOPE OF PERMIT INCORPORATING INTEGRATED PLAN.—A permit issued under this subsection that incorporates an integrated plan may integrate all requirements under this Act addressed in the integrated plan, including requirements relating to—

''(i) a combined sewer overflow;

''(ii) a capacity, management, operation, and maintenance program for sanitary sewer collection systems;

''(iii) a municipal stormwater discharge;

''(iv) a municipal wastewater discharge; and

''(v) a water quality-based effluent limitation to implement an applicable wasteload allocation in a total maximum daily load.

''(3) COMPLIANCE SCHEDULES.—

''(A) IN GENERAL.—A permit for a municipal discharge by a municipality that incorporates an integrated plan may include a schedule of compliance, under which actions taken to meet any applicable water quality-based effluent limitation may be implemented over more than 1 permit term if the compliance schedules are authorized by State water quality standards.

''(B) INCLUSION.—Actions subject to a compliance schedule under subparagraph (A) may include green infrastructure if implemented as part of a water quality-based effluent limitation.

''(C) REVIEW.—A schedule of compliance may be reviewed each time the permit is renewed.

''(4) EXISTING AUTHORITIES RETAINED.—

''(A) APPLICABLE STANDARDS.—Nothing in this subsection modifies any obligation to comply with applicable technology and water quality-based effluent limitations under this Act.

''(B) FLEXIBILITY.—Nothing in this subsection reduces or eliminates any flexibility available under this Act, including the authority of—

''(i) a State to revise a water quality standard after a use attainability analysis under section 131.10(g) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subsection), subject to the approval of the Administrator under section 303(c); and

''(ii) the Administrator or a State to authorize a schedule of compliance that extends beyond the date of expiration of a permit term if the schedule of compliance meets the requirements of section 122.47 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

''(5) CLARIFICATION OF STATE AUTHORITY.—

''(A) IN GENERAL.—Nothing in section 301(b)(1)(C) precludes a State from authorizing in the water quality standards of the State the issuance of a schedule of compliance to meet water quality-based effluent limitations in permits that incorporate provisions of an integrated plan.

''(B) TRANSITION RULE.—In any case in which a discharge is subject to a judicial order or consent decree as of the date of enactment of the Water Resources Development Act of 2016 resolving an enforcement action under this Act, any schedule of compliance issued pursuant to an authorization in a State water quality standard shall not revise or otherwise affect a schedule of compliance in that order or decree unless the order or decree is modified by agreement of the parties and the court.''.

(b) MUNICIPAL OMBUDSMAN.—

(1) ESTABLISHMENT.—There is established within the Office of the Administrator an Office of the Municipal Ombudsman.

(2) GENERAL DUTIES.—The duties of the municipal ombudsman shall include the provision of—

(A) technical assistance to municipalities seeking to comply with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(B) information to the Administrator to help the Administrator ensure that agency policies are implemented by all offices of the Environmental Protection Agency, including regional offices.

(3) ACTIONS REQUIRED.—The municipal ombudsman shall work with appropriate offices at the headquarters and regional offices of the Environmental Protection Agency to ensure that the municipality seeking assistance is provided information—

(A) about available Federal financial assistance for which the municipality is eligible;

(B) about flexibility available under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and, if applicable, the Safe Drinking Water Act (42 U.S.C. 300f et seq.); and

(C) regarding the opportunity to develop an integrated plan, as defined in section 402(s)(1)(B) of the Federal Water Pollution Control Act (as added by subsection (a)).

(4) PRIORITY.—In carrying out paragraph (3), the municipal ombudsman shall give priority to any municipality that demonstrates affordability concerns relating to compliance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or the Safe Drinking Water Act (42 U.S.C. 300f et seq.).

(5) INFORMATION SHARING.—The municipal ombudsman shall publish on the website of the Environmental Protection Agency—

(A) general information relating to—

(i) the technical assistance referred to in paragraph (2)(A);

(ii) the financial assistance referred to in paragraph (3)(A);

(iii) the flexibility referred to in paragraph 3(B); and

(iv) any resources related to integrated plans developed by the Administrator; and

(B) a copy of each permit, order, or judicial consent decree that implements or incorporates an integrated plan.

(c) MUNICIPAL ENFORCEMENT.—Section 309 of the Federal Water Pollution Control Act (33 U.S.C. 1319) is amended by adding at the end the following:

''(h) IMPLEMENTATION OF INTEGRATED PLANS THROUGH ENFORCEMENT TOOLS.—

''(1) IN GENERAL.—In conjunction with an enforcement action under subsection (a) or (b) relating to municipal discharges, the Administrator shall inform a municipality of the opportunity to develop an integrated plan, as defined in section 402(s).

''(2) MODIFICATION.—Any municipality under an administrative order under subsection (a) or settlement agreement (including a judicial consent decree) under subsection (b) that has developed an integrated plan consistent with section 402(s) may request a modification of the administrative order or settlement agreement based on that integrated plan.''.

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report on each integrated plan developed and implemented through a permit, order, or judicial consent decree since the date of publication of the ''Integrated Municipal Stormwater and Wastewater Planning Approach Framework'' issued by the Environmental Protection Agency and dated June 5, 2012, including a description of the control measures, levels of control, estimated costs, and compliance schedules for the requirements implemented through an integrated plan.

SEC. 7204. GREEN INFRASTRUCTURE PROMOTION.

Title V of the Federal Water Pollution Control Act (33 U.S.C. 1361 et seq.) is amended—

(1) by redesignating section 519 (33 U.S.C. 1251 note) as section 520; and

(2) by inserting after section 518 (33 U.S.C. 1377) the following:

''SEC. 519. ENVIRONMENTAL PROTECTION AGENCY GREEN INFRASTRUCTURE PROMOTION.

''(a) IN GENERAL.—The Administrator shall ensure that the Office of Water, the Office of Enforcement and Compliance Assurance, the Office of Research and Development, and the Office of Policy of the Environmental Protection Agency promote the use of green infrastructure in and coordinate the integration of green infrastructure into, permitting programs, planning efforts, research, technical assistance, and funding guidance.

''(b) DUTIES.—The Administrator shall ensure that the Office of Water—

''(1) promotes the use of green infrastructure in the programs of the Environmental Protection Agency; and

''(2) coordinates efforts to increase the use of green infrastructure with—

''(A) other Federal departments and agencies;

''(B) State, tribal, and local governments; and

''(C) the private sector.

''(c) REGIONAL GREEN INFRASTRUCTURE PROMOTION.—The Administrator shall direct each regional office of the Environmental Protection Agency, as appropriate based on local factors, and consistent with the requirements of this Act, to promote and integrate the use of green infrastructure within the region that includes—

''(1) outreach and training regarding green infrastructure implementation for State, tribal, and local governments, tribal communities, and the private sector; and

''(2) the incorporation of green infrastructure into permitting and other regulatory programs, codes, and ordinance development, including the requirements under consent decrees and settlement agreements in enforcement actions.

''(d) GREEN INFRASTRUCTURE INFORMATION-SHARING.—The Administrator shall promote green infrastructure information-sharing, including through an Internet website, to share information with, and provide technical assistance to, State, tribal, and local governments, tribal communities, the private sector, and the public regarding green infrastructure approaches for—

''(1) reducing water pollution;

''(2) protecting water resources;

''(3) complying with regulatory requirements; and

''(4) achieving other environmental, public health, and community goals.''.

SEC. 7205. FINANCIAL CAPABILITY GUIDANCE.

(a) DEFINITIONS.—In this section:

(1) AFFORDABILITY.—The term ''affordability'' means, with respect to payment of a utility bill, a measure of whether an individual customer or household can pay the bill without undue hardship or unreasonable sacrifice in the essential lifestyle or spending patterns of the individual or household, as determined by the Administrator.

(2) FINANCIAL CAPABILITY.—The term ''financial capability'' means the financial capability of a community to make investments necessary to make water quality or drinking water improvements.

(3) GUIDANCE.—The term ''guidance'' means the guidance published by the Administrator entitled ''Combined Sewer Overflows—Guidance for Financial Capability Assessment and Schedule Development'' and dated February 1997, as applicable to the combined sewer overflows and sanitary sewer overflows guidance published by the Administrator entitled ''Financial Capability Assessment Framework'' and dated November 24, 2014.

(b) USE OF MEDIAN HOUSEHOLD INCOME.—The Administrator shall not use median household income as the sole indicator of affordability for a residential household.

(c) REVISED GUIDANCE.—

(1) IN GENERAL.—Not later than 1 year after the date of completion of the National Academy of Public Administration study to establish a definition and framework for community affordability required by Senate Report 114–70, accompanying S. 1645 (114th Congress), the Administrator shall revise the guidance described in subsection (a)(3).

(2) USE OF GUIDANCE.—Beginning on the date on which the revised guidance referred to in paragraph (1) is finalized, the Administrator shall use the revised guidance in lieu of the guidance described in subsection (a)(3).

(d) CONSIDERATION AND CONSULTATION.—

(1) CONSIDERATION.—In revising the guidance, the Administrator shall consider—

(A) the recommendations of the study referred to in subsection (c) and any other relevant study, as determined by the Administrator;

(B) local economic conditions, including site-specific local conditions that should be taken into consideration in analyzing financial capability;

(C) other essential community investments;

(D) potential adverse impacts on distressed populations, including the percentage of low-income ratepayers within the service area of a utility and impacts in communities with disparate economic conditions throughout the entire service area of a utility;

(E) the degree to which rates of low-income consumers would be affected by water infrastructure investments and the use of rate structures to address the rates of low-income consumers;

(F) an evaluation of an array of factors, the relative importance of which may vary across regions and localities; and

(G) the appropriate weight for economic, public health, and environmental benefits associated with improved water quality.

(2) CONSULTATION.—Any revised guidance issued to replace the guidance shall be developed in consultation with stakeholders.

(e) PUBLICATION AND SUBMISSION.—

(1) IN GENERAL.—On completion of the revision of the guidance, the Administrator shall publish in the Federal Register and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the revised guidance.

(2) EXPLANATION.—If the Administrator makes a determination not to follow 1 or more recommendations of the study referred to in subsection (c)(1), the Administrator shall include in the publication and submission under paragraph (1) an explanation of that decision.

(f) EFFECT.—Nothing in this section preempts or interferes with any obligation to comply with any Federal law, including the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

SEC. 7206. CHESAPEAKE BAY GRASS SURVEY.

There is authorized to be appropriated to the Administrator for the Chesapeake Bay Grass Survey $150,000 for fiscal year 2017 and each fiscal year thereafter.

SEC. 7207. GREAT LAKES HARMFUL ALGAL BLOOM COORDINATOR.

The Administrator, acting as the chair of the Great Lakes Interagency Task Force, shall appoint a coordinator to work with appropriate Federal agencies and State, local, tribal, and foreign governments to coordinate efforts to address the issue of harmful algal blooms in the Great Lakes.

Subtitle C—Innovative Financing and Promotion of Innovative Technologies

SEC. 7301. WATER INFRASTRUCTURE PUBLIC-PRIVATE PARTNERSHIP PILOT PROGRAM.

Section 5014(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113–121) is amended by striking ''Any activity undertaken under this section is authorized only to the extent'' and inserting ''Nothing in this section obligates the Secretary to expend funds unless''.

SEC. 7302. WATER INFRASTRUCTURE FINANCE AND INNOVATION.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Section 5023(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)(2)) is amended by striking ''carry out'' and inserting ''provide financial assistance to carry out''.

(b) PROJECTS ELIGIBLE FOR ASSISTANCE.—

(1) IN GENERAL.—Section 5026 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3905) is amended—

(A) in paragraph (6)—

(i) by striking ''desalination project'' and inserting ''desalination project, including chloride control''; and

(ii) by striking ''or a water recycling project'' and inserting ''a water recycling project, or a project to provide alternative water supplies to reduce aquifer depletion'';

(B) by redesignating paragraphs (7), (8), and (9) as paragraphs (8), (9), and (10), respectively;

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

''(7) A project to prevent, reduce, or mitigate the effects of drought, including projects that enhance the resilience of drought-stricken watersheds.''; and

(D) in paragraph (10) (as redesignated by subparagraph (B)), by striking ''or (7)'' and inserting ''(7), or (8)''.

(2) CONFORMING AMENDMENTS.—

(A) Section 5023(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902(b)) is amended—

(i) in paragraph (2), by striking ''and (8)'' and inserting ''(7), and (9)''; and

(ii) in paragraph (3), by striking ''paragraph (7) or (9)'' and inserting ''paragraph (8) or (10)''.

(B) Section 5024(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3903(b)) is amended by striking ''paragraph (8) or (9)'' and inserting ''paragraph (9) or (10)''.

(C) Section 5027(3) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3906(3)) is amended by striking ''section 5026(7)'' and inserting ''section 5026(8)''.

(D) Section 5028 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3907) is amended—

(i) in subsection (a)(1)(E)—

(I) by striking ''section 5026(9)'' and inserting ''section 5026(10)''; and

(II) by striking ''section 5026(8)'' and inserting ''section 5026(9)''; and

(ii) in subsection (b)(3), by striking ''section 5026(8)'' and inserting ''section 5026(9)''.

(c) DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION.—Section 5028(b)(2)(F) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3907(b)(2)(F)) is amended—

(1) in clause (i), by striking ''or'' at the end; and

(2) by striking clause (ii) and inserting the following:

''(ii) helps maintain or protect the environment;

''(iii) resists hazards due to a natural disaster;

''(iv) continues to serve the primary function of the water resources infrastructure project following a natural disaster;

''(v) reduces the magnitude or duration of a disruptive event to a water resources infrastructure project; or

''(vi) has the absorptive, adaptive, and recoverable capacities to withstand a potentially disruptive event.''.

(d) TERMS AND CONDITIONS.—Section 5029(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)) is amended—

(1) in paragraph (7)—

(A) by striking ''The Secretary'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary''; and

(B) by adding at the end the following:

''(B) FINANCING FEES.—On request of an eligible entity, the Secretary or the Administrator, as applicable, shall allow the fees under subparagraph (A) to be financed as part of the loan.''; and

(2) by adding at the end the following:

''(10) CREDIT.—Any eligible project costs incurred and the value of any integral in-kind contributions made before receipt of assistance under this subtitle shall be credited toward the 51 percent of project costs to be provided by sources of funding other than a secured loan under this subtitle (as described in paragraph (2)(A).''.

(e) REMOVAL OF PILOT DESIGNATION.—

(1) Subtitle C of title V of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3901 et seq.) is amended by striking the subtitle designation and heading and inserting the following:

''Subtitle C—Innovative Financing Projects''.

(2) Section 5023 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3092) is amended by striking ''pilot'' each place it appears.

(3) Section 5034 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3913) is amended by striking the section designation and heading and inserting the following:

''SEC. 5034. REPORTS ON PROGRAM IMPLEMENTATION.''.

(4) The table of contents for the Water Resources Reform and Development Act of 2014 (Public Law 113–121) is amended—

(A) by striking the item relating to subtitle C of title V and inserting the following:

''Subtitle C—Innovative Financing Projects''.; and

(B) by striking the item relating to section 5034 and inserting the following:

''Sec. 5034. Reports on program implementation.''.

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

(1) appropriations made available to carry out the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) should be in addition to robust funding for the State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) and State drinking water treatment revolving loan funds established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12); and

(2) the appropriations made available for the funds referred to in paragraph (1) should not decrease for any fiscal year.

SEC. 7303. WATER INFRASTRUCTURE INVESTMENT TRUST FUND.

(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the ''Water Infrastructure Investment Trust Fund'' (referred to in this section as the ''Fund''), consisting of such amounts as may be appropriated to or deposited in such fund as provided in this section.

(b) TRANSFERS TO TRUST FUND.—The Secretary of the Treasury (referred to in this section as the ''Secretary'') shall deposit in the Fund amounts equal to the fees received before January 1, 2022, under subsection (f)(2).

(c) EXPENDITURES.—Amounts in the Fund, including interest earned and advances to the Fund and proceeds from investment under subsection (d), shall be available for expenditure, without further appropriation, as follows:

(1) 50 percent of the amounts shall be available to the Administrator for making capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381).

(2) 50 percent of the amounts shall be available to the Administrator for making capitalization grants under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(d) INVESTMENT.—Amounts in the Fund shall be invested in accordance with section 9702 of title 31, United States Code, and any interest on, and proceeds from, any such investment shall be available for expenditure in accordance with this section.

(e) LIMITATION ON EXPENDITURES.—Amounts in the Fund may not be made available for a fiscal year under subsection (c) unless the sum of the funds appropriated to the Clean Water State Revolving Fund and the Safe Drinking Water State Revolving Fund through annual capitalization grants is not less than the average of the sum of the annual amounts provided in capitalization grants under section 601 of the Federal Water Pollution Control Act (33 U.S.C. 1381) and section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) for the 5-fiscal-year period immediately preceding such fiscal year.

(f) VOLUNTARY LABELING SYSTEM.—

(1) IN GENERAL.—The Administrator, in consultation with the Administrator of the Food and Drug Administration, manufacturers, producers, and importers, shall develop and implement a program under which the Administrator provides a label designed in consultation with manufacturers, producers, and importers suitable for placement on products to inform consumers that the manufacturer, producer, or importer of the product, and other stakeholders, participates in the Fund.

(2) FEE.—The Administrator shall provide a label for a fee of 3 cents per unit.

(g) EPA STUDY ON WATER PRICING.—

(1) STUDY.—The Administrator, with participation by the States, shall conduct a study to—

(A) assess the affordability gap faced by low-income populations located in urban and rural areas in obtaining services from clean water and drinking water systems; and

(B) analyze options for programs to provide incentives for rate adjustments at the local level to achieve ''full cost'' or ''true value'' pricing for such services, while protecting low-income ratepayers from undue burden.

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on the Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives a report on the results of the study.

SEC. 7304. INNOVATIVE WATER TECHNOLOGY GRANT PROGRAM.

(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term ''eligible entity'' means—

(1) a public utility, including publicly owned treatment works and clean water systems;

(2) a unit of local government, including a municipality or a joint powers authority;

(3) a private entity, including a farmer or manufacturer;

(4) an institution of higher education;

(5) a research institution or foundation;

(6) a State;

(7) a regional organization; or

(8) a nonprofit organization.

(b) GRANT PROGRAM AUTHORIZED.—The Administrator shall carry out a grant program for purposes described in subsection (c) to accelerate the development of innovative water technologies that address pressing water challenges.

(c) GRANTS.—In carrying out the program under subsection (b), the Administrator shall make to eligible entities grants that—

(1) finance projects to develop, deploy, test, and improve emerging water technologies;

(2) fund entities that provide technical assistance to deploy innovative water technologies more broadly, especially—

(A) to increase adoption of innovative water technologies in—

(i) municipal drinking water and wastewater treatment systems;

(ii) areas served by private wells; or

(iii) water supply systems in arid areas that are experiencing, or have recently experienced, prolonged drought conditions; and

(B) in a manner that reduces ratepayer or community costs over time, including the cost of future capital investments; or

(3) support technologies that, as determined by the Administrator—

(A) improve water quality of a water source;

(B) improve the safety and security of a drinking water delivery system;

(C) minimize contamination of drinking water and drinking water sources, including contamination by lead, bacteria, chlorides, and nitrates;

(D) improve the quality and timeliness and decrease the cost of drinking water quality tests, especially technologies that can be deployed within water systems and at individual faucets to provide accurate real-time

tests of water quality, especially with respect to lead, bacteria, and nitrate content;

(E) increase water supplies in arid areas that are experiencing, or have recently experienced, prolonged drought conditions;

(F) treat edge-of-field runoff to improve water quality;

(G) treat agricultural, municipal, and industrial wastewater;

(H) recycle or reuse water;

(I) manage urban storm water runoff;

(J) reduce sewer or stormwater overflows;

(K) conserve water;

(L) improve water quality by reducing salinity;

(M) mitigate air quality impacts associated with declining water resources;

(N) address treatment byproduct and brine disposal alternatives; or

(O) address urgent water quality and human health needs.

(d) PRIORITY FUNDING.—In making grants under this section, the Administrator shall give priority to projects that have the potential—

(1) to provide substantial cost savings across a sector;

(2) to significantly improve human health or the environment; or

(3) to provide additional water supplies with minimal environmental impact.

(e) COST-SHARING.—The Federal share of the cost of activities carried out using a grant made under this section shall be not more than 65 percent.

(f) LIMITATION.—The maximum amount of a grant provided to a project under this section shall be $5,000,000.

(g) REPORT.—Each year, the Administrator shall submit to Congress and make publicly available on the website of the Administrator a report that describes any advancements during the previous year in development of innovative water technologies made as a result of funding provided under this section.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each fiscal year.

(i) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator to provide grants to eligible entities under this section $10,000,000, to remain available until expended.

SEC. 7305. WATER RESOURCES RESEARCH ACT AMENDMENTS.

(a) CONGRESSIONAL FINDINGS AND DECLARATIONS.—Section 102 of the Water Resources Research Act of 1984 (42 U.S.C. 10301) is amended—

(1) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(2) in paragraph (8) (as so redesignated), by striking ''and'' at the end; and

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

''(7) additional research is required to increase the effectiveness and efficiency of new and existing treatment works through alternative approaches, including—

''(A) nonstructural alternatives;

''(B) decentralized approaches;

''(C) water use efficiency and conservation; and

''(D) actions to reduce energy consumption or extract energy from wastewater;''.

(b) WATER RESOURCES RESEARCH AND TECHNOLOGY INSTITUTES.—Section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (B)(ii), by striking ''water-related phenomena'' and inserting ''water resources''; and

(B) in subparagraph (D), by striking the period at the end and inserting ''; and'';

(2) in subsection (c)—

(A) by striking ''From the'' and inserting the following:

''(1) IN GENERAL.—From the''; and

(B) by adding at the end the following:

''(2) REPORT.—Not later than December 31 of each fiscal year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate, the Committee on the Budget of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on the Budget of the House of Representatives a report regarding the compliance of each funding recipient with this subsection for the immediately preceding fiscal year.'';

(3) by striking subsection (e) and inserting the following:

''(e) EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.—

''(1) IN GENERAL.—The Secretary shall conduct a careful and detailed evaluation of each institute at least once every 3 years to determine—

''(A) the quality and relevance of the water resources research of the institute;

''(B) the effectiveness of the institute at producing measured results and applied water supply research; and

''(C) whether the effectiveness of the institute as an institution for planning, conducting, and arranging for research warrants continued support under this section.

''(2) PROHIBITION ON FURTHER SUPPORT.—If, as a result of an evaluation under paragraph (1), the Secretary determines that an institute does not qualify for further support under this section, no further grants to the institute may be provided until the qualifications of the institute are reestablished to the satisfaction of the Secretary.'';

(4) in subsection (f)(1), by striking ''$12,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$7,500,000 for each of fiscal years 2017 through 2021''; and

(5) in subsection (g)(1), in the first sentence, by striking ''$6,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$1,500,000 for each of fiscal years 2017 through 2021''.

SEC. 7306. REAUTHORIZATION OF WATER DESALINATION ACT OF 1996.

(a) AUTHORIZATION OF RESEARCH AND STUDIES.—Section 3 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended—

(1) in subsection (a)—

(A) in paragraph (6), by striking ''and'' at the end;

(B) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(8) development of metrics to analyze the costs and benefits of desalination relative to other sources of water (including costs and benefits related to associated infrastructure, energy use, environmental impacts, and diversification of water supplies); and

''(9) development of design and siting specifications that avoid, minimize, or offset adverse social, economic, and environmental impacts.''; and

(2) by adding at the end the following:

''(e) PRIORITIZATION.—In carrying out this section, the Secretary shall prioritize funding for research—

''(1) to reduce energy consumption and lower the cost of desalination, including chloride control;

''(2) to reduce the environmental impacts of seawater desalination and develop technology and strategies to minimize those impacts;

''(3) to improve existing reverse osmosis and membrane technology;

''(4) to carry out basic and applied research on next generation desalination technologies, including improved energy recovery systems and renewable energy-powered desalination systems that could significantly reduce desalination costs;

''(5) to develop portable or modular desalination units capable of providing temporary emergency water supplies for domestic or military deployment purposes; and

''(6) to develop and promote innovative desalination technologies, including chloride control, identified by the Secretary.''.

(b) DESALINATION DEMONSTRATION AND DEVELOPMENT.—Section 4 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended by adding at the end the following:

''(c) PRIORITIZATION.—In carrying out demonstration and development activities under this section, the Secretary shall prioritize projects—

''(1) for the benefit of drought-stricken States and communities;

''(2) for the benefit of States that have authorized funding for research and development of desalination technologies and projects;

''(3) that can reduce reliance on imported water supplies that have an impact on species listed under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

''(4) that demonstrably leverage the experience of international partners with considerable expertise in desalination, such as the State of Israel.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 8 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended—

(1) in the first sentence of subsection (a)—

(A) by striking ''$5,000,000'' and inserting ''$8,000,000''; and

(B) by striking ''2013'' and inserting ''2021''; and

(2) in subsection (b), by striking ''for each of fiscal years 2012 through 2013'' and inserting ''for each of fiscal years 2017 through 2021''.

(d) CONSULTATION.—Section 9 of the Water Desalination Act of 1996 (42 U.S.C. 10301 note; Public Law 104–298) is amended—

(1) by striking the section designation and heading and all that follows through ''In carrying out'' in the first sentence and inserting the following:

''SEC. 9. CONSULTATION AND COORDINATION.

''(a) CONSULTATION.—In carrying out'';

(2) in the second sentence, by striking ''The authorization'' and inserting the following:

''(c) OTHER DESALINATION PROGRAMS.—The authorization''; and

(3) by inserting after subsection (a) (as designated by paragraph (1)) the following:

''(b) COORDINATION OF FEDERAL DESALINATION RESEARCH AND DEVELOPMENT.—The White House Office of Science and Technology Policy shall develop a coordinated strategic plan that—

''(1) establishes priorities for future Federal investments in desalination;

''(2) coordinates the activities of Federal agencies involved in desalination, including the Bureau of Reclamation, the Corps of Engineers, the United States Army Tank Automotive Research, Development and Engineering Center, the National Science Foundation, the Office of Naval Research of the Department of Defense, the National Laboratories of the Department of Energy, the United States Geological Survey, the Environmental Protection Agency, and the National Oceanic and Atmospheric Administration;

''(3) strengthens research and development cooperation with international partners, such as the State of Israel, in the area of desalination technology; and

''(4) promotes public-private partnerships to develop a framework for assessing needs for, and to optimize siting and design of, future ocean desalination projects.''.

SEC. 7307. NATIONAL DROUGHT RESILIENCE GUIDELINES.

(a) IN GENERAL.—The Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Administrator, and other appropriate Federal agency heads along with State, local, and tribal governments, shall jointly develop nonregulatory national drought resilience guidelines relating to drought preparedness planning and investments for communities, water utilities, and other water users and providers, in a manner consistent with the Presidential Memorandum entitled ''Building National Capabilities for Long-Term Drought Resilience'' (81 Fed. Reg. 16053 (March 21, 2016)).

(b) CONSULTATION.—In developing the national drought resilience guidelines, the Administrator and other Federal agency heads referred to in subsection (a) shall consult with—

(1) State and local governments;

(2) water utilities;

(3) scientists;

(4) institutions of higher education;

(5) relevant private entities; and

(6) other stakeholders.

(c) CONTENTS.—The national drought resilience guidelines developed under this section shall, to the maximum extent practicable, provide recommendations for a period of 10 years that—

(1) address a broad range of potential actions, including—

(A) analysis of the impacts of the changing frequency and duration of drought on the future effectiveness of water management tools;

(B) the identification of drought-related water management challenges in a broad range of fields, including—

(i) public health and safety;

(ii) municipal and industrial water supply;

(iii) agricultural water supply;

(iv) water quality;

(v) ecosystem health; and

(vi) water supply planning;

(C) water management tools to reduce drought-related impacts, including—

(i) water use efficiency through gallons per capita reduction goals, appliance efficiency standards, water pricing incentives, and other measures;

(ii) water recycling;

(iii) groundwater clean-up and storage;

(iv) new technologies, such as behavioral water efficiency; and

(v) stormwater capture and reuse;

(D) water-related energy and greenhouse gas reduction strategies; and

(E) public education and engagement; and

(2) include recommendations relating to the processes that Federal, State, and local governments and water utilities should consider when developing drought resilience preparedness and plans, including—

(A) the establishment of planning goals;

(B) the evaluation of institutional capacity;

(C) the assessment of drought-related risks and vulnerabilities, including the integration of climate-related impacts;

(D) the establishment of a development process, including an evaluation of the cost-effectiveness of potential strategies;

(E) the inclusion of private entities, technical advisors, and other stakeholders in the development process;

(F) implementation and financing issues; and

(G) evaluation of the plan, including any updates to the plan.

SEC. 7308. INNOVATION IN STATE WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.

(a) IN GENERAL.—Subsection (j)(1)(B) (as redesignated by section 7202(b)(1)(A)(ii)) of section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(1) in clause (iii), by striking ''or'' at the end;

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

(3) by adding at the end the following:

''(v) to encourage the use of innovative water technologies related to any of the issues identified in clauses (i) through (iv) or, as determined by the State, any other eligible project and activity eligible for assistance under subsection (c)''.

(b) INNOVATIVE WATER TECHNOLOGIES.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) (as amended by section 7202(b)(1)) is amended by adding at the end the following:

''(k) TECHNICAL ASSISTANCE.—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for innovative water technologies.

''(l) REPORT.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes—

''(1) the amount of financial assistance provided by State water pollution control revolving funds to deploy innovative water technologies;

''(2) the barriers impacting greater use of innovative water technologies; and

''(3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.''.

SEC. 7309. INNOVATION IN DRINKING WATER STATE REVOLVING LOAN FUNDS.

Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) (as amended by section 7105) is amended—

(1) in subsection (d)—

(A) by striking the heading and inserting ''ADDITIONAL ASSISTANCE.—'';

(B) in paragraph (1)—

(i) by striking ''Notwithstanding'' and inserting the following:

''(A) IN GENERAL.—Notwithstanding''; and

(ii) by adding at the end the following:

''(B) INNOVATIVE WATER TECHNOLOGY.—Notwithstanding any other provision of this section, in the case of a State that makes a loan under subsection (a)(2) to carry out an eligible activity through the use of an innovative water technology (including technologies to improve water treatment to ensure compliance with this title and technologies to identify and mitigate sources of drinking water contamination, including lead contamination), the State may provide additional subsidization, including forgiveness of principal that is not more than 50 percent of the cost of the portion of the project associated with the innovative technology.'';

(C) in paragraph (2)—

(i) by striking ''For each fiscal year'' and inserting the following:

''(A) IN GENERAL.—For each fiscal year''; and

(ii) by adding at the end the following:

''(B) INNOVATIVE WATER TECHNOLOGY.—For each fiscal year, not more than 20 percent of the loan subsidies that may be made by a State under paragraph (1) may be used to provide additional subsidization under subparagraph (B) of that paragraph.''; and

(D) in paragraph (3), in the first sentence, by inserting '', or portion of a service area,'' after ''service area''; and

(2) by adding at the end the following:

''(t) TECHNICAL ASSISTANCE.—The Administrator may provide technical assistance to facilitate and encourage the provision of financial assistance for the deployment of innovative water technologies.

''(u) REPORT.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, and not less frequently than every 5 years thereafter, the Administrator shall submit to Congress a report that describes—

''(1) the amount of financial assistance provided by State loan funds to deploy innovative water technologies;

''(2) the barriers impacting greater use of innovative water technologies; and

''(3) the cost-saving potential to cities and future infrastructure investments from emerging technologies.''.

Subtitle D—Drinking Water Disaster Relief and Infrastructure Investments

SEC. 7401. DRINKING WATER INFRASTRUCTURE.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE STATE.—The term ''eligible State'' means a State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to the public health threats associated with the presence of lead or other contaminants in a public drinking water supply system.

(2) ELIGIBLE SYSTEM.—The term ''eligible system'' means a public drinking water supply system that has been the subject of an emergency declaration referred to in paragraph (1).

(b) STATE REVOLVING LOAN FUND ASSISTANCE.—

(1) IN GENERAL.—An eligible system shall be—

(A) considered to be a disadvantaged community under section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)); and

(B) eligible to receive loans with additional subsidization under that Act (42 U.S.C. 300f et seq.), including forgiveness of principal under section 1452(d)(1) of that Act (42 U.S.C. 300j–12(d)(1)).

(2) AUTHORIZATION.—

(A) IN GENERAL.—Using funds provided under subsection (e)(1)(A), an eligible State may provide assistance to an eligible system within the eligible State, for the purpose of addressing lead or other contaminants in drinking water, including repair and replacement of public and private drinking water infrastructure.

(B) INCLUSION.—Assistance provided under subparagraph (A) may include additional subsidization under the Safe Drinking Water Act (42 U.S.C. 300f et seq.), as described in paragraph (1)(B).

(C) EXCLUSION.—Assistance provided under subparagraph (A) shall not include assistance for a project that is financed (directly or indirectly), in whole or in part, with proceeds of any obligation issued after the date of enactment of this Act—

(i) the interest of which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(ii) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(3) LIMITATION.—Section 1452(d)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)(2)) shall not apply to—

(A) any funds provided under subsection (e)(1)(A); or

(B) any other loan provided to an eligible system.

(c) WATER INFRASTRUCTURE FINANCING.—

(1) SECURED LOANS.—

(A) IN GENERAL.—Using funds provided under subsection (e)(2)(A), the Administrator may make a secured loan under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) to—

(i) an eligible State to carry out a project eligible under paragraphs (2) through (9) of section 5026 of that Act (33 U.S.C. 3905) to address lead or other contaminants in drinking water in an eligible system, including repair and replacement of public and private drinking water infrastructure; and

(ii) any eligible entity under section 5025 of that Act (33 U.S.C. 3904) for a project eligible under paragraphs (2) through (9) of section 5026 of that Act (33 U.S.C. 3905).

(B) AMOUNT.—Notwithstanding section 5029(b)(2) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(2)), the amount of a secured loan provided under subparagraph (A)(i) may be equal to not more than 80 percent of the reasonably anticipated costs of the projects.

(2) FEDERAL INVOLVEMENT.—Notwithstanding section 5029(b)(9) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(9)), any costs for a project to address lead or other contaminants in drinking water in an eligible system that are not covered by a secured loan under paragraph (1) may be covered using amounts in the State revolving loan fund under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

(d) NONDUPLICATION OF WORK.—An activity carried out pursuant to this section shall not duplicate the work or activity of any other Federal or State department or agency.

(e) FUNDING.—

(1) ADDITIONAL DRINKING WATER STATE REVOLVING FUND CAPITALIZATION GRANTS.—

(A) IN GENERAL.—The Secretary of the Treasury shall make available to the Administrator a total of $100,000,000 to provide additional grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12), to be available for a period of 18 months beginning on the date on which the funds are made available, for the purposes described in subsection (b)(2), and after the end of the 18-month period, until expended for the purposes described in subparagraph (C).

(B) SUPPLEMENTED INTENDED USE PLANS.—From funds made available under subparagraph (A), the Administrator shall obligate to an eligible State such amounts as are necessary to meet the needs identified in a supplemented intended use plan by not later than 30 days after the date on which the eligible State submits to the Administrator a supplemented intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)) that includes preapplication information regarding projects to be funded using the additional assistance, including, with respect to each such project—

(i) a description of the project;

(ii) an explanation of the means by which the project will address a situation causing a declared emergency in the eligible State;

(iii) the estimated cost of the project; and

(iv) the projected start date for construction of the project.

(C) UNOBLIGATED AMOUNTS.—Of any amounts made available to the Administrator under subparagraph (A) that are unobligated on the date that is 18 months after the date on which the amounts are made available—

(i) 50 percent shall be available to provide additional grants under section 1459A of the Safe Drinking Water Act (as added by section 7106); and

(ii) 50 percent shall be available to provide additional grants under section 1459B of the Safe Drinking Water Act (as added by section 7107).

(D) APPLICABILITY.—Section 1452(b)(1) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)(1)) shall not apply to a supplement to an intended use plan under subparagraph (B).

(2) WIFIA FUNDING.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Treasury shall make available to the Administrator $70,000,000 to provide credit subsidies, in consultation with the Director of the Office of Management and Budget, for secured loans under subsection (c)(1)(A) with a goal of providing secured loans totaling at least $700,000,000.

(B) USE.—Secured loans provided pursuant to subparagraph (A) shall be available to carry out activities described in subsection (c)(1)(A).

(C) EXCLUSION.—Of the amounts made available under subparagraph (A), $20,000,000 shall not be used to provide assistance for a project that is financed (directly or indirectly), in whole or in part, with proceeds of any obligation issued after the date of enactment of this Act—

(i) the interest of which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986; or

(ii) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

(3) APPLICABILITY.—Unless explicitly waived, all requirements under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) and the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) shall apply to funding provided under this subsection.

(f) HEALTH EFFECTS EVALUATION.—

(1) IN GENERAL.—Pursuant to section 104(i)(1)(E) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(1)(E)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall in coordination with other agencies, as appropriate, conduct voluntary surveillance activities to evaluate any adverse health effects on individuals exposed to lead from drinking water in the affected communities.

(2) CONSULTATIONS.—Pursuant to section 104(i)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604(i)(4)), and on receipt of a request of an appropriate State or local health official of an eligible State, the Director of the Agency for Toxic Substances and Disease Registry of the National Center for Environmental Health shall provide consultations regarding health issues described in paragraph (1).

SEC. 7402. LOAN FORGIVENESS.

The matter under the heading ''STATE AND TRIBAL ASSISTANCE GRANTS'' under the heading ''ENVIRONMENTAL PROTECTION AGENCY'' in title II of division G of the Consolidated Appropriations Act, 2016 (Public Law 114–113), is amended in paragraph (1), by striking the semicolon at the end and inserting the following: ''or, if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply, before the date of enactment of this Act: *Provided further*, That in a State in which such an emergency declaration has been issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;''.

SEC. 7403. REGISTRY FOR LEAD EXPOSURE AND ADVISORY COMMITTEE.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term ''City'' means a city exposed to lead contamination in the local drinking water system.

(2) COMMITTEE.—The term ''Committee'' means the Advisory Committee established under subsection (c).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(b) LEAD EXPOSURE REGISTRY.—The Secretary shall establish within the Agency for Toxic Substances and Disease Registry or another relevant agency at the discretion of the Secretary, or establish through a grant award or contract, a lead exposure registry to collect data on the lead exposure of residents of a City on a voluntary basis.

(c) ADVISORY COMMITTEE.—

(1) MEMBERSHIP.—

(A) IN GENERAL.—The Secretary shall establish an Advisory Committee in coordination with the Director of the Centers for Disease Control and Prevention and other relevant agencies as determined by the Secretary consisting of Federal members and non-Federal members, and which shall include—

(i) an epidemiologist;

(ii) a toxicologist;

(iii) a mental health professional;

(iv) a pediatrician;

(v) an early childhood education expert;

(vi) a special education expert;

(vii) a dietician; and

(viii) an environmental health expert.

(B) REQUIREMENTS.—Membership in the Committee shall not exceed 15 members and not less than ½ of the members shall be Federal members.

(2) CHAIR.—The Secretary shall designate a chair from among the Federal members appointed to the Committee.

(3) TERMS.—Members of the Committee shall serve for a term of not more than 3 years and the Secretary may reappoint members for consecutive terms.

(4) APPLICATION OF FACA.—The Committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(5) RESPONSIBILITIES.—The Committee shall, at a minimum—

(A) review the Federal programs and services available to individuals and communities exposed to lead;

(B) review current research on lead poisoning to identify additional research needs;

(C) review and identify best practices, or the need for best practices, regarding lead screening and the prevention of lead poisoning;

(D) identify effective services, including services relating to healthcare, education, and nutrition for individuals and communities affected by lead exposure and lead poisoning, including in consultation with, as appropriate, the lead exposure registry as established in subsection (b); and

(E) undertake any other review or activities that the Secretary determines to be appropriate.

(6) REPORT.—Annually for 5 years and thereafter as determined necessary by the Secretary or as required by Congress, the Committee shall submit to the Secretary, the Committees on Finance, Health, Education, Labor, and Pensions, and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Education and the Workforce, Energy and Commerce, and Agriculture of the House of Representatives a report that includes—

(A) an evaluation of the effectiveness of the Federal programs and services available to individuals and communities exposed to lead;

(B) an evaluation of additional lead poisoning research needs;

(C) an assessment of any effective screening methods or best practices used or developed to prevent or screen for lead poisoning;

(D) input and recommendations for improved access to effective services relating to healthcare, education, or nutrition for individuals and communities impacted by lead exposure; and

(E) any other recommendations for communities affected by lead exposure, as appropriate.

(d) MANDATORY FUNDING.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary, to be available during the period of fiscal years 2016 through 2020—

(A) $17,500,000 to carry out subsection (b); and

(B) $2,500,000 to carry out subsection (c).

(2) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out subsections (b) and (c) the funds transferred under subparagraphs (A) and (B) of paragraph (1), respectively, without further appropriation.

SEC. 7404. ADDITIONAL FUNDING FOR CERTAIN CHILDHOOD HEALTH PROGRAMS.

(a) CHILDHOOD LEAD POISONING PREVENTION PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Director of the Centers for Disease Control and Prevention, to be available during the period of fiscal years 2017 and 2018, $10,000,000 for the childhood lead poisoning prevention program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b–1).

(2) RECEIPT AND ACCEPTANCE.—The Director of the Centers for Disease Control and Prevention shall be entitled to receive, shall accept, and shall use to carry out the childhood lead poisoning prevention program authorized under section 317A of the Public Health Service Act (42 U.S.C. 247b–1) the funds transferred under paragraph (1), without further appropriation.

(b) HEALTHY HOMES PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Housing and Urban Development, to be available during the period of fiscal years 2017 and 2018, $10,000,000 to carry out the Healthy Homes Initiative of the Department of Housing and Urban Development.

(2) RECEIPT AND ACCEPTANCE.—The Secretary of Housing and Urban Development shall be entitled to receive, shall accept, and shall use to carry out the Healthy Homes Initiative of the Department of Housing and Urban Development the funds transferred under paragraph (1), without further appropriation.

(c) HEALTHY START PROGRAM.—

(1) IN GENERAL.—On the date of enactment of this Act, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Administrator of the Health Resources and Services Administration, to be available during the period of fiscal years 2017 and 2018, $10,000,000 to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c–8).

(2) RECEIPT AND ACCEPTANCE.—The Administrator of the Health Resources and Services Administration shall be entitled to receive, shall accept, and shall use to carry out the Healthy Start Initiative under section 330H of the Public Health Service Act (42 U.S.C. 254c–8) the funds transferred under paragraph (1), without further appropriation.

SEC. 7405. REVIEW AND REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Inspector General of the Environmental Protection Agency shall submit to the Committees on Appropriations, Environment and Public Works, and Homeland Security and Governmental Affairs of the Senate and the Committees on Appropriations, Energy and Commerce, Transportation and Infrastructure, and Oversight and Government Reform of the House of Representatives a report on the status of any ongoing investigations into the Federal and State response to the contamination of the drinking water supply of the City of Flint, Michigan.

(b) REVIEW.—Not later than 30 days after the completion of the investigations described in subsection (a), the Comptroller General of the United States shall commence a review of issues that are not addressed by the investigations and relating to—

(1) the adequacy of the response by the State of Michigan and the City of Flint to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response, as well as the capacity of the State and City to manage the drinking water system; and

(2) the adequacy of the response by Region 5 of the Environmental Protection Agency to the drinking water crisis in Flint, Michigan, including the timeliness and transparency of the response.

(c) CONTENTS OF REPORT.—Not later than 1 year after commencing each review under subsection (b), the Comptroller General of the United States shall submit to Congress a report that includes—

(1) a statement of the principal findings of the review; and

(2) recommendations for Congress and the President to take any actions to prevent a similar situation in the future and to protect public health.

Subtitle E—Report on Groundwater Contamination

SEC. 7501. DEFINITIONS.

In this subtitle:

(1) COMPREHENSIVE STRATEGY.—The term ''comprehensive strategy'' means a plan for—

(A) the remediation of the plume under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); or

(B) corrective action under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(2) GROUNDWATER.—The term ''groundwater'' means water in a saturated zone or stratum beneath the surface of land or water.

(3) PLUME.—The term ''plume'' means any hazardous waste (as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903)) or hazardous substance (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)) found in the groundwater supply.

(4) SITE.—The term ''site'' means the site located at 830 South Oyster Bay Road, Bethpage, New York, 11714 (Environmental Protection Agency identification number NYD002047967).

SEC. 7502. REPORT ON GROUNDWATER CONTAMINATION.

Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary of the Navy shall submit to Congress a report on the groundwater contamination from the site that includes—

(1) a description of the status of the groundwater contaminants that are leaving the site and migrating to a location within a 10-mile radius of the site, including—

(A) detailed mapping of the movement of the plume over time; and

(B) projected migration rates of the plume;

(2) an analysis of the current and future impact of the movement of the plume on drinking water facilities; and

(3) a comprehensive strategy to prevent the groundwater contaminants from the site from contaminating drinking water wells that, as of the date of the submission of the report, have not been affected by the migration of the plume.

Subtitle F—Restoration

PART I—GREAT LAKES RESTORATION

SEC. 7611. GREAT LAKES RESTORATION INITIATIVE.

Section 118(c) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)) is amended by striking paragraph (7) and inserting the following:

''(7) GREAT LAKES RESTORATION INITIATIVE.—

''(A) ESTABLISHMENT.—There is established in the Agency a Great Lakes Restoration Initiative (referred to in this paragraph as the 'Initiative') to carry out programs and projects for Great Lakes protection and restoration.

''(B) FOCUS AREAS.—Each fiscal year under a 5-year Initiative Action Plan, the Initiative shall prioritize programs and projects, carried out in coordination with non-Federal partners, that address priority areas, such as—

''(i) the remediation of toxic substances and areas of concern;

''(ii) the prevention and control of invasive species and the impacts of invasive species;

''(iii) the protection and restoration of nearshore health and the prevention and mitigation of nonpoint source pollution;

''(iv) habitat and wildlife protection and restoration, including wetlands restoration and preservation; and

''(v) accountability, monitoring, evaluation, communication, and partnership activities.

''(C) PROJECTS.—Under the Initiative, the Agency shall collaborate with Federal partners, including the Great Lakes Interagency Task Force, to select the best combination of programs and projects for Great Lakes protection and restoration using appropriate principles and criteria, including whether a program or project provides—

''(i) the ability to achieve strategic and measurable environmental outcomes that implement the Great Lakes Action Plan and the Great Lakes Water Quality Agreement;

''(ii) the feasibility of—

''(I) prompt implementation;

''(II) timely achievement of results; and

''(III) resource leveraging; and

''(iii) the opportunity to improve interagency and inter-organizational coordination and collaboration to reduce duplication and streamline efforts.

''(D) IMPLEMENTATION OF PROJECTS.—

''(i) IN GENERAL.—Subject to subparagraph (G)(ii), funds made available to carry out the Initiative shall be used to strategically implement—

''(I) Federal projects; and

''(II) projects carried out in coordination with States, Indian tribes, municipalities, institutions of higher education, and other organizations.

''(ii) TRANSFER OF FUNDS.—With amounts made available for the Initiative each fiscal year, the Administrator may—

''(I) transfer not more than $300,000,000 to the head of any Federal department or agency, with the concurrence of the department or agency head, to carry out activities to support the Initiative and the Great Lakes Water Quality Agreement;

''(II) enter into an interagency agreement with the head of any Federal department or agency to carry out activities described in subclause (I); and

''(III) make grants to governmental entities, nonprofit organizations, institutions, and individuals for planning, research, monitoring, outreach, and implementation of projects in furtherance of the Initiative and the Great Lakes Water Quality Agreement.

''(E) SCOPE.—

''(i) IN GENERAL.—Projects shall be carried out under the Initiative on multiple levels, including—

''(I) Great Lakes-wide; and

''(II) Great Lakes basin-wide.

''(ii) LIMITATION.—No funds made available to carry out the Initiative may be used for any water infrastructure activity (other than a green infrastructure project that improves habitat and other ecosystem functions in the Great Lakes) for which amounts are made available from—

''(I) a State water pollution control revolving fund established under title VI; or

''(II) a State drinking water revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12).

''(F) ACTIVITIES BY OTHER FEDERAL AGENCIES.—Each relevant Federal department or agency shall, to the maximum extent practicable—

''(i) maintain the base level of funding for the Great Lakes activities of that department or agency without regard to funding under the Initiative; and

''(ii) identify new activities and projects to support the environmental goals of the Initiative and the Great Lakes Water Quality Agreement.

''(G) FUNDING.—

''(i) IN GENERAL.—There is authorized to be appropriated to carry out this paragraph $300,000,000 for each of fiscal years 2017 through 2021.

''(ii) LIMITATION.—Nothing in this paragraph creates, expands, or amends the authority of the Administrator to implement programs or projects under—

''(I) this section;

''(II) the Initiative Action Plan; or

''(III) the Great Lakes Water Quality Agreement.''.

SEC. 7612. AMENDMENTS TO THE GREAT LAKES FISH AND WILDLIFE RESTORATION ACT OF 1990.

(a) REFERENCES.—Except as otherwise expressly provided, wherever in this section an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Great Lakes Fish and Wildlife Restoration Act of 1990 (16 U.S.C. 941 et seq.).

(b) FINDINGS.—The Act is amended by striking section 1002 and inserting the following:

''SEC. 1002. FINDINGS.

''Congress finds that—

''(1) the Great Lakes have fish and wildlife communities that are structurally and functionally changing;

''(2) successful fish and wildlife management focuses on the lakes as ecosystems, and effective management requires the coordination and integration of efforts of many partners;

''(3) it is in the national interest to undertake activities in the Great Lakes Basin that support sustainable fish and wildlife resources of common concern provided under the Great Lakes Restoration Initiative Action Plan based on the recommendations of the Great Lakes Regional Collaboration authorized under Executive Order 13340 (69 Fed. Reg. 29043; relating to the Great Lakes Interagency Task Force);

''(4) additional actions and better coordination are needed to protect and effectively manage the fish and wildlife resources, and the habitats on which the resources depend, in the Great Lakes Basin;

''(5) as of the date of enactment of this Act, actions are not funded that are considered essential to meet the goals and objectives in managing the fish and wildlife resources, and the habitats on which the resources depend, in the Great Lakes Basin; and

''(6) this Act allows Federal agencies, States, and Indian tribes to work in an effective partnership by providing the funding for restoration work.''.

(c) IDENTIFICATION, REVIEW, AND IMPLEMENTATION OF PROPOSALS AND REGIONAL PROJECTS.—

(1) REQUIREMENTS FOR PROPOSALS AND REGIONAL PROJECTS.—Section 1005(b)(2)(B) (16 U.S.C. 941c(b)(2)(B)) is amended—

(A) in clause (v), by striking ''and'' at the end;

(B) in clause (vi), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(vii) the strategic action plan of the Great Lakes Restoration Initiative; and

''(viii) each applicable State wildlife action plan.''.

(2) REVIEW OF PROPOSALS.—Section 1005(c)(2)(C) (16 U.S.C. 941c(c)(2)(C)) is amended by striking ''Great Lakes Coordinator of the''.

(3) COST SHARING.—Section 1005(e) (16 U.S.C. 941c(e)) is amended—

(A) in paragraph (1)—

(i) by striking ''Except as provided in paragraphs (2) and (4), not less than 25 percent of the cost of implementing a proposal'' and inserting the following:

''(A) NON-FEDERAL SHARE.—Except as provided in paragraphs (3) and (5) and subject to paragraph (2), not less than 25 percent of the cost of implementing a proposal or regional project''; and

(ii) by adding at the end the following:

''(B) TIME PERIOD FOR PROVIDING MATCH.—The non-Federal share of the cost of implementing a proposal or regional project required under subparagraph (A) may be provided at any time during the 2-year period preceding January 1 of the year in which the Director receives the application for the proposal or regional project.'';

(B) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

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

''(2) AUTHORIZED SOURCES OF NON-FEDERAL SHARE.—

''(A) IN GENERAL.—The Director may determine the non-Federal share under paragraph (1) by taking into account—

''(i) the appraised value of land or a conservation easement as described in subparagraph (B); or

''(ii) as described in subparagraph (C), the costs associated with—

''(I) land acquisition or securing a conservation easement; and

''(II) restoration or enhancement of that land or conservation easement.

''(B) APPRAISAL OF LAND OR CONSERVATION EASEMENT.—

''(i) IN GENERAL.—The value of land or a conservation easement may be used to satisfy the non-Federal share of the cost of implementing a proposal or regional project required under paragraph (1)(A) if the Director determines that the land or conservation easement—

''(I) meets the requirements of subsection (b)(2);

''(II) is acquired before the end of the grant period of the proposal or regional project;

''(III) is held in perpetuity for the conservation purposes of the programs of the United States Fish and Wildlife Service related to the Great Lakes Basin, as described in section 1006, by an accredited land trust or conservancy or a Federal, State, or tribal agency;

''(IV) is connected either physically or through a conservation planning process to the proposal or regional project; and

''(V) is appraised in accordance with clause (ii).

''(ii) APPRAISAL.—With respect to the appraisal of land or a conservation easement described in clause (i)—

''(I) the appraisal valuation date shall be not later than 1 year after the price of the land or conservation easement was set under a contract; and

''(II) the appraisal shall—

''(aa) conform to the Uniform Standards of Professional Appraisal Practice (USPAP); and

''(bb) be completed by a Federal- or State-certified appraiser.

''(C) COSTS OF LAND ACQUISITION OR SECURING CONSERVATION EASEMENT.—

''(i) IN GENERAL.—All costs associated with land acquisition or securing a conservation easement and restoration or enhancement of that land or conservation easement may be used to satisfy the non-Federal share of the cost of implementing a proposal or regional project required under paragraph (1)(A) if the activities and expenses associated with the land acquisition or securing the conservation easement and restoration or enhancement of that land or conservation easement meet the requirements of subparagraph (B)(i).

''(ii) INCLUSION.—The costs referred to in clause (i) may include cash, in-kind contributions, and indirect costs.

''(iii) EXCLUSION.—The costs referred to in clause (i) may not be costs associated with mitigation or litigation (other than costs associated with the Natural Resource Damage Assessment program).''.

(d) ESTABLISHMENT OF OFFICES.—Section 1007 (16 U.S.C. 941e) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by striking ''FISHERY RESOURCES'' and inserting ''FISH AND WILDLIFE CONSERVATION''; and

(B) by striking ''Fishery Resources'' each place it appears and inserting ''Fish and Wildlife Conservation'';

(2) in subsection (c)—

(A) in the subsection heading, by striking ''FISHERY RESOURCES'' and inserting ''FISH AND WILDLIFE CONSERVATION''; and

(B) by striking ''Fishery Resources'' each place it appears and inserting ''Fish and Wildlife Conservation'';

(3) by striking subsection (a); and

(4) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

(e) REPORTS.—Section 1008 (16 U.S.C. 941f) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''2011'' and inserting ''2021'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''2007 through 2012'' and inserting ''2016 through 2020''; and

(B) in paragraph (5), by inserting ''the Great Lakes Restoration Initiative Action Plan based on'' after ''in support of''; and

(3) by striking subsection (c) and inserting the following:

''(c) CONTINUED MONITORING AND ASSESSMENT OF STUDY FINDINGS AND RECOMMENDATIONS.—The Director—

''(1) shall continue to monitor the status, and the assessment, management, and restoration needs, of the fish and wildlife resources of the Great Lakes Basin; and

''(2) may reassess and update, as necessary, the findings and recommendations of the Report.''.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 1009 (16 U.S.C. 941g) is amended—

(1) in the matter preceding paragraph (1), by striking ''2007 through 2012'' and inserting ''2016 through 2021'';

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''$14,000,000'' and inserting ''$6,000,000'';

(B) in subparagraph (A), by striking ''$4,600,000'' and inserting ''$2,000,000''; and

(C) in subparagraph (B), by striking ''$700,000'' and inserting ''$300,000''; and

(3) in paragraph (2), by striking ''the activities of'' and all that follows through ''section 1007'' and inserting ''the activities of the Upper Great Lakes Fish and Wildlife Conservation Offices and the Lower Great Lakes Fish and Wildlife Conservation Office under section 1007''.

(g) CONFORMING AMENDMENT.—Section 8 of the Great Lakes Fish and Wildlife Restoration Act of 2006 (16 U.S.C. 941 note; Public Law 109–326) is repealed.

PART II—LAKE TAHOE RESTORATION

SEC. 7621. FINDINGS AND PURPOSES.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 2 and inserting the following:

''SEC. 2. FINDINGS AND PURPOSES.

''(a) FINDINGS.—Congress finds that—

''(1) Lake Tahoe—

''(A) is one of the largest, deepest, and clearest lakes in the world;

''(B) has a cobalt blue color, a biologically diverse alpine setting, and remarkable water clarity; and

''(C) is recognized nationally and worldwide as a natural resource of special significance;

''(2) in addition to being a scenic and ecological treasure, the Lake Tahoe Basin is one of the outstanding recreational resources of the United States, which—

''(A) offers skiing, water sports, biking, camping, and hiking to millions of visitors each year; and

''(B) contributes significantly to the economies of California, Nevada, and the United States;

''(3) the economy in the Lake Tahoe Basin is dependent on the conservation and restoration of the natural beauty and recreation opportunities in the area;

''(4) the ecological health of the Lake Tahoe Basin continues to be challenged by the impacts of land use and transportation patterns developed in the last century;

''(5) the alteration of wetland, wet meadows, and stream zone habitat have compromised the capacity of the watershed to filter sediment, nutrients, and pollutants before reaching Lake Tahoe;

''(6) forests in the Lake Tahoe Basin suffer from over a century of fire damage and periodic drought, which have resulted in—

''(A) high tree density and mortality;

''(B) the loss of biological diversity; and

''(C) a large quantity of combustible forest fuels, which significantly increases the threat of catastrophic fire and insect infestation;

''(7) the establishment of several aquatic and terrestrial invasive species (including perennial pepperweed, milfoil, and Asian clam) threatens the ecosystem of the Lake Tahoe Basin;

''(8) there is an ongoing threat to the economy and ecosystem of the Lake Tahoe Basin of the introduction and establishment of other invasive species (such as yellow starthistle, New Zealand mud snail, Zebra mussel, and quagga mussel);

''(9) 78 percent of the land in the Lake Tahoe Basin is administered by the Federal Government, which makes it a Federal responsibility to restore ecological health to the Lake Tahoe Basin;

''(10) the Federal Government has a long history of environmental stewardship at Lake Tahoe, including—

''(A) congressional consent to the establishment of the Planning Agency with—

''(i) the enactment in 1969 of Public Law 91–148 (83 Stat. 360); and

''(ii) the enactment in 1980 of Public Law 96–551 (94 Stat. 3233);

''(B) the establishment of the Lake Tahoe Basin Management Unit in 1973;

''(C) the enactment of Public Law 96–586 (94 Stat. 3381) in 1980 to provide for the acquisition of environmentally sensitive land and erosion control grants in the Lake Tahoe Basin;

''(D) the enactment of sections 341 and 342 of the Department of the Interior and Related Agencies Appropriations Act, 2004 (Public Law 108–108; 117 Stat. 1317), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2346) to provide payments for the environmental restoration programs under this Act; and

''(E) the enactment of section 382 of the Tax Relief and Health Care Act of 2006 (Public Law 109–432; 120 Stat. 3045), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2346) to authorize development and implementation of a comprehensive 10-year hazardous fuels and fire prevention plan for the Lake Tahoe Basin;

''(11) the Assistant Secretary was an original signatory in 1997 to the Agreement of Federal Departments on Protection of the Environment and Economic Health of the Lake Tahoe Basin;

''(12) the Chief of Engineers, under direction from the Assistant Secretary, has continued to be a significant contributor to Lake Tahoe Basin restoration, including—

''(A) stream and wetland restoration; and

''(B) programmatic technical assistance;

''(13) at the Lake Tahoe Presidential Forum in 1997, the President renewed the commitment of the Federal Government to Lake Tahoe by—

''(A) committing to increased Federal resources for ecological restoration at Lake Tahoe; and

''(B) establishing the Federal Interagency Partnership and Federal Advisory Committee to consult on natural resources issues concerning the Lake Tahoe Basin;

''(14) at the 2011 and 2012 Lake Tahoe Forums, Senator Reid, Senator Feinstein, Senator Heller, Senator Ensign, Governor Gibbons, Governor Sandoval, and Governor Brown—

''(A) renewed their commitment to Lake Tahoe; and

''(B) expressed their desire to fund the Federal and State shares of the Environmental Improvement Program through 2022;

''(15) since 1997, the Federal Government, the States of California and Nevada, units of local government, and the private sector have contributed more than $1,955,500,000 to the Lake Tahoe Basin, including—

''(A) $635,400,000 from the Federal Government;

''(B) $758,600,000 from the State of California;

''(C) $123,700,000 from the State of Nevada;

''(D) $98,900,000 from units of local government; and

''(E) $338,900,000 from private interests;

''(16) significant additional investment from Federal, State, local, and private sources is necessary—

''(A) to restore and sustain the ecological health of the Lake Tahoe Basin;

''(B) to adapt to the impacts of fluctuating water temperature and precipitation; and

''(C) to prevent the introduction and establishment of invasive species in the Lake Tahoe Basin; and

''(17) the Secretary has indicated that the Lake Tahoe Basin Management Unit has the capacity for at least $10,000,000 annually for the Fire Risk Reduction and Forest Management Program.

''(b) PURPOSES.—The purposes of this Act are—

''(1) to enable the Chief of the Forest Service, the Director of the United States Fish and Wildlife Service, and the Administrator, in cooperation with the Planning Agency and the States of California and Nevada, to fund, plan, and implement significant new environmental restoration activities and forest management activities in the Lake Tahoe Basin;

''(2) to ensure that Federal, State, local, regional, tribal, and private entities continue to work together to manage land in the Lake Tahoe Basin;

''(3) to support local governments in efforts related to environmental restoration, stormwater pollution control, fire risk reduction, and forest management activities; and

''(4) to ensure that agency and science community representatives in the Lake Tahoe Basin work together—

''(A) to develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program; and

''(B) to provide objective information as a basis for ongoing decisionmaking, with an emphasis on decisionmaking relating to resource management in the Lake Tahoe Basin.''.

SEC. 7622. DEFINITIONS.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 3 and inserting the following:

''SEC. 3. DEFINITIONS.

''In this Act:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Environmental Protection Agency.

''(2) ASSISTANT SECRETARY.—The term 'Assistant Secretary' means the Assistant Secretary of the Army for Civil Works.

''(3) CHAIR.—The term 'Chair' means the Chair of the Federal Partnership.

''(4) COMPACT.—The term 'Compact' means the Tahoe Regional Planning Compact included in the first section of Public Law 96–551 (94 Stat. 3233).

''(5) DIRECTORS.—The term 'Directors' means—

''(A) the Director of the United States Fish and Wildlife Service; and

''(B) the Director of the United States Geological Survey.

''(6) ENVIRONMENTAL IMPROVEMENT PROGRAM.—The term 'Environmental Improvement Program' means—

''(A) the Environmental Improvement Program adopted by the Planning Agency; and

''(B) any amendments to the Program.

''(7) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The term 'environmental threshold carrying capacity' has the meaning given the term in Article II of the Compact.

''(8) FEDERAL PARTNERSHIP.—The term 'Federal Partnership' means the Lake Tahoe Federal Interagency Partnership established by Executive Order 13057 (62 Fed. Reg. 41249) (or a successor Executive order).

''(9) FOREST MANAGEMENT ACTIVITY.—The term 'forest management activity' includes—

''(A) prescribed burning for ecosystem health and hazardous fuels reduction;

''(B) mechanical and minimum tool treatment;

''(C) stream environment zone restoration and other watershed and wildlife habitat enhancements;

''(D) nonnative invasive species management; and

''(E) other activities consistent with Forest Service practices, as the Secretary determines to be appropriate.

''(10) MAPS.—The term 'Maps' means the maps—

''(A) entitled—

''(i) 'LTRA USFS-CA Land Exchange/North Shore';

''(ii) 'LTRA USFS-CA Land Exchange/West Shore'; and

''(iii) 'LTRA USFS-CA Land Exchange/South Shore'; and

''(B) dated January 4, 2016, and on file and available for public inspection in the appropriate offices of—

''(i) the Forest Service;

''(ii) the California Tahoe Conservancy; and

''(iii) the California Department of Parks and Recreation.

''(11) NATIONAL WILDLAND FIRE CODE.—The term 'national wildland fire code' means—

''(A) the most recent publication of the National Fire Protection Association codes numbered 1141, 1142, 1143, and 1144;

''(B) the most recent publication of the International Wildland-Urban Interface Code of the International Code Council; or

''(C) any other code that the Secretary determines provides the same, or better, standards for protection against wildland fire as a code described in subparagraph (A) or (B).

''(12) PLANNING AGENCY.—The term 'Planning Agency' means the Tahoe Regional Planning Agency established under Public Law 91–148 (83 Stat. 360) and Public Law 96–551 (94 Stat. 3233).

''(13) PRIORITY LIST.—The term 'Priority List' means the environmental restoration priority list developed under section 5(b).

''(14) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture, acting through the Chief of the Forest Service.

''(15) STREAM ENVIRONMENT ZONE.—The term 'Stream Environment Zone' means an area that generally owes the biological and physical characteristics of the area to the presence of surface water or groundwater.

''(16) TOTAL MAXIMUM DAILY LOAD.—The term 'total maximum daily load' means the total maximum daily load allocations adopted under section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)).

''(17) WATERCRAFT.—The term 'watercraft' means motorized and non-motorized watercraft, including boats, seaplanes, personal watercraft, kayaks, and canoes.''.

SEC. 7623. IMPROVED ADMINISTRATION OF THE LAKE TAHOE BASIN MANAGEMENT UNIT.

Section 4 of the Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2353) is amended—

(1) in subsection (b)(3), by striking ''basin'' and inserting ''Basin''; and

(2) by adding at the end the following:

''(c) FOREST MANAGEMENT ACTIVITIES.—

''(1) COORDINATION.—

''(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall, as appropriate, coordinate with the Administrator and State and local agencies and organizations, including local fire departments and volunteer groups.

''(B) GOALS.—The coordination of activities under subparagraph (A) should aim to increase efficiencies and maximize the compatibility of management practices across public property boundaries.

''(2) MULTIPLE BENEFITS.—

''(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall conduct the activities in a manner that—

''(i) except as provided in subparagraph (B), attains multiple ecosystem benefits, including—

''(I) reducing forest fuels;

''(II) maintaining biological diversity;

''(III) improving wetland and water quality, including in Stream Environment Zones; and

''(IV) increasing resilience to changing water temperature and precipitation; and

''(ii) helps achieve and maintain the environmental threshold carrying capacities established by the Planning Agency.

''(B) EXCEPTION.—Notwithstanding subparagraph (A)(i), the attainment of multiple ecosystem benefits shall not be required if the Secretary determines that management for multiple ecosystem benefits would excessively increase the cost of a program in relation to the additional ecosystem benefits gained from the management activity.

''(3) GROUND DISTURBANCE.—Consistent with applicable Federal law and Lake Tahoe Basin Management Unit land and resource management plan direction, the Secretary shall—

''(A) establish post-program ground condition criteria for ground disturbance caused by forest management activities; and

''(B) provide for monitoring to ascertain the attainment of the post-program conditions.

''(d) WITHDRAWAL OF FEDERAL LAND.—

''(1) IN GENERAL.—Subject to valid existing rights and paragraph (2), the Federal land located in the Lake Tahoe Basin Management Unit is withdrawn from—

''(A) all forms of entry, appropriation, or disposal under the public land laws;

''(B) location, entry, and patent under the mining laws; and

''(C) disposition under all laws relating to mineral and geothermal leasing.

''(2) EXCEPTIONS.—A conveyance of land shall be exempt from withdrawal under this subsection if carried out under—

''(A) this Act; or

''(B) Public Law 96–586 (94 Stat. 3381) (commonly known as the 'Santini-Burton Act').

''(e) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The Lake Tahoe Basin Management Unit shall support the attainment of the environmental threshold carrying capacities.

''(f) COOPERATIVE AUTHORITIES.—During the 4 fiscal years following the date of enactment of the Water Resources Development Act of 2016, the Secretary, in conjunction with land adjustment programs, may enter into contracts and cooperative agreements with States, units of local government, and other public and private entities to provide for fuel reduction, erosion control, reforestation, Stream Environment Zone restoration, and similar management activities on Federal land and non-Federal land within the programs.''.

SEC. 7624. AUTHORIZED PROGRAMS.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 5 and inserting the following:

''SEC. 5. AUTHORIZED PROGRAMS.

''(a) IN GENERAL.—The Secretary, the Assistant Secretary, the Directors, and the Administrator, in coordination with the Planning Agency and the States of California and Nevada, may carry out or provide financial assistance to any program that—

''(1) is described in subsection (d);

''(2) is included in the Priority List under subsection (b); and

''(3) furthers the purposes of the Environmental Improvement Program if the program has been subject to environmental review and approval, respectively, as required under Federal law, Article VII of the Compact, and State law, as applicable.

''(b) PRIORITY LIST.—

''(1) DEADLINE.—Not later than March 15 of the year after the date of enactment of the Water Resources Development Act of 2016, the Chair, in consultation with the Secretary, the Administrator, the Directors, the Planning Agency, the States of California and Nevada, the Federal Partnership, the Washoe Tribe, the Lake Tahoe Federal Advisory Committee, and the Tahoe Science Consortium (or a successor organization) shall submit to Congress a prioritized Environmental Improvement Program list for the Lake Tahoe Basin for the program categories described in subsection (d).

''(2) CRITERIA.—The ranking of the Priority List shall be based on the best available science and the following criteria:

''(A) The 4-year threshold carrying capacity evaluation.

''(B) The ability to measure progress or success of the program.

''(C) The potential to significantly contribute to the achievement and maintenance of the environmental threshold carrying capacities identified in Article II of the Compact.

''(D) The ability of a program to provide multiple benefits.

''(E) The ability of a program to leverage non-Federal contributions.

''(F) Stakeholder support for the program.

''(G) The justification of Federal interest.

''(H) Agency priority.

''(I) Agency capacity.

''(J) Cost-effectiveness.

''(K) Federal funding history.

''(3) REVISIONS.—The Priority List submitted under paragraph (1) shall be revised every 2 years.

''(4) FUNDING.—Of the amounts made available under section 10(a), $80,000,000 shall be made available to the Secretary to carry out projects listed on the Priority List.

''(c) RESTRICTION.—The Administrator shall use not more than 3 percent of the funds provided under subsection (a) for administering the programs described in paragraphs (1) and (2) of subsection (d).

''(d) DESCRIPTION OF ACTIVITIES.—

''(1) FIRE RISK REDUCTION AND FOREST MANAGEMENT.—

''(A) IN GENERAL.—Of the amounts made available under section 10(a), $150,000,000 shall be made available to the Secretary to carry out, including by making grants, the following programs:

''(i) Programs identified as part of the Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy 10-Year Plan.

''(ii) Competitive grants for fuels work to be awarded by the Secretary to communities that have adopted national wildland fire codes to implement the applicable portion of the 10-year plan described in clause (i).

''(iii) Biomass programs, including feasibility assessments.

''(iv) Angora Fire Restoration under the jurisdiction of the Secretary.

''(v) Washoe Tribe programs on tribal lands within the Lake Tahoe Basin.

''(vi) Development of an updated Lake Tahoe Basin multijurisdictional fuel reduction and wildfire prevention strategy, consistent with section 4(c).

''(vii) Development of updated community wildfire protection plans by local fire districts.

''(viii) Municipal water infrastructure that significantly improves the firefighting capability of local government within the Lake Tahoe Basin.

''(ix) Stewardship end result contracting projects carried out under section 604 of the

Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c).

''(B) MINIMUM ALLOCATION.—Of the amounts made available to the Secretary to carry out subparagraph (A), at least $100,000,000 shall be used by the Secretary for programs under subparagraph (A)(i).

''(C) PRIORITY.—Units of local government that have dedicated funding for inspections and enforcement of defensible space regulations shall be given priority for amounts provided under this paragraph.

''(D) COST-SHARING REQUIREMENTS.—

''(i) IN GENERAL.—As a condition on the receipt of funds, communities or local fire districts that receive funds under this paragraph shall provide a 25-percent match.

''(ii) FORM OF NON-FEDERAL SHARE.—

''(I) IN GENERAL.—The non-Federal share required under clause (i) may be in the form of cash contributions or in-kind contributions, including providing labor, equipment, supplies, space, and other operational needs.

''(II) CREDIT FOR CERTAIN DEDICATED FUNDING.—There shall be credited toward the non-Federal share required under clause (i) any dedicated funding of the communities or local fire districts for a fuels reduction management program, defensible space inspections, or dooryard chipping.

''(III) DOCUMENTATION.—Communities and local fire districts shall—

''(aa) maintain a record of in-kind contributions that describes—

''(AA) the monetary value of the in-kind contributions; and

''(BB) the manner in which the in-kind contributions assist in accomplishing program goals and objectives; and

''(bb) document in all requests for Federal funding, and include in the total program budget, evidence of the commitment to provide the non-Federal share through in-kind contributions.

''(2) INVASIVE SPECIES MANAGEMENT.—

''(A) IN GENERAL.—Of the amounts made available under section 10(a), $45,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Aquatic Invasive Species Program and the watercraft inspections described in subparagraph (B).

''(B) DESCRIPTION OF ACTIVITIES.—The Director of the United States Fish and Wildlife Service, in coordination with the Assistant Secretary, the Planning Agency, the California Department of Fish and Wildlife, and the Nevada Department of Wildlife, shall deploy strategies consistent with the Lake Tahoe Aquatic Invasive Species Management Plan to prevent the introduction or spread of aquatic invasive species in the Lake Tahoe region.

''(C) CRITERIA.—The strategies referred to in subparagraph (B) shall provide that—

''(i) combined inspection and decontamination stations be established and operated at not less than 2 locations in the Lake Tahoe region; and

''(ii) watercraft not be allowed to launch in waters of the Lake Tahoe region if the watercraft has not been inspected in accordance with the Lake Tahoe Aquatic Invasive Species Management Plan.

''(D) CERTIFICATION.—The Planning Agency may certify State and local agencies to perform the decontamination activities described in subparagraph (C)(i) at locations outside the Lake Tahoe Basin if standards at the sites meet or exceed standards for similar sites in the Lake Tahoe Basin established under this paragraph.

''(E) APPLICABILITY.—The strategies and criteria developed under this paragraph shall apply to all watercraft to be launched on water within the Lake Tahoe region.

''(F) FEES.—The Director of the United States Fish and Wildlife Service may collect and spend fees for decontamination only at a level sufficient to cover the costs of operation of inspection and decontamination stations under this paragraph.

''(G) CIVIL PENALTIES.—

''(i) IN GENERAL.—Any person that launches, attempts to launch, or facilitates launching of watercraft not in compliance with strategies deployed under this paragraph shall be liable for a civil penalty in an amount not to exceed $1,000 per violation.

''(ii) OTHER AUTHORITIES.—Any penalties assessed under this subparagraph shall be separate from penalties assessed under any other authority.

''(H) LIMITATION.—The strategies and criteria under subparagraphs (B) and (C), respectively, may be modified if the Secretary of the Interior, in a nondelegable capacity and in consultation with the Planning Agency and State governments, issues a determination that alternative measures will be no less effective at preventing introduction of aquatic invasive species into Lake Tahoe than the strategies and criteria developed under subparagraphs (B) and (C), respectively.

''(I) SUPPLEMENTAL AUTHORITY.—The authority under this paragraph is supplemental to all actions taken by non-Federal regulatory authorities.

''(J) SAVINGS CLAUSE.—Nothing in this title restricts, affects, or amends any other law or the authority of any department, instrumentality, or agency of the United States, or any State or political subdivision thereof, respecting the control of invasive species.

''(3) STORMWATER MANAGEMENT, EROSION CONTROL, AND TOTAL WATERSHED RESTORATION.—Of the amounts made available under section 10(a), $113,000,000 shall be made available—

''(A) to the Secretary, the Secretary of the Interior, the Assistant Secretary, or the Administrator for the Federal share of stormwater management and related programs consistent with the adopted Total Maximum Daily Load and near-shore water quality goals;

''(B) for grants by the Secretary and the Administrator to carry out the programs described in subparagraph (A);

''(C) to the Secretary or the Assistant Secretary for the Federal share of the Upper Truckee River restoration programs and other watershed restoration programs identified in the Priority List established under section 5(b); and

''(D) for grants by the Administrator to carry out the programs described in subparagraph (C).

''(4) SPECIAL STATUS SPECIES MANAGEMENT.—Of the amounts made available under section 10(a), $20,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Lahontan Cutthroat Trout Recovery Program.''.

SEC. 7625. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 6 and inserting the following:

''SEC. 6. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

''(a) PROGRAM PERFORMANCE AND ACCOUNTABILITY.—

''(1) IN GENERAL.—Of the amounts made available under section 10(a), not less than $5,000,000 shall be made available to the Secretary to carry out this section.

''(2) PLANNING AGENCY.—Of the amounts described in paragraph (1), not less than 50 percent shall be made available to the Planning Agency to carry out the program oversight and coordination activities established under subsection (d).

''(b) CONSULTATION.—In carrying out this Act, the Secretary, the Administrator, and the Directors shall, as appropriate and in a timely manner, consult with the heads of the Washoe Tribe, applicable Federal, State, regional, and local governmental agencies, and the Lake Tahoe Federal Advisory Committee.

''(c) CORPS OF ENGINEERS; INTERAGENCY AGREEMENTS.—

''(1) IN GENERAL.—The Assistant Secretary may enter into interagency agreements with non-Federal interests in the Lake Tahoe Basin to use Lake Tahoe Partnership-Miscellaneous General Investigations funds to provide programmatic technical assistance for the Environmental Improvement Program.

''(2) LOCAL COOPERATION AGREEMENTS.—

''(A) IN GENERAL.—Before providing technical assistance under this section, the Assistant Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for the technical assistance.

''(B) COMPONENTS.—The agreement entered into under subparagraph (A) shall—

''(i) describe the nature of the technical assistance;

''(ii) describe any legal and institutional structures necessary to ensure the effective long-term viability of the end products by the non-Federal interest; and

''(iii) include cost-sharing provisions in accordance with subparagraph (C).

''(C) FEDERAL SHARE.—

''(i) IN GENERAL.—The Federal share of program costs under each local cooperation agreement under this paragraph shall be 65 percent.

''(ii) FORM.—The Federal share may be in the form of reimbursements of program costs.

''(iii) CREDIT.—The non-Federal interest may receive credit toward the non-Federal share for the reasonable costs of related technical activities completed by the non-Federal interest before entering into a local cooperation agreement with the Assistant Secretary under this paragraph.

''(d) EFFECTIVENESS EVALUATION AND MONITORING.—In carrying out this Act, the Secretary, the Administrator, and the Directors, in coordination with the Planning Agency and the States of California and Nevada, shall—

''(1) develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program;

''(2) include funds in each program funded under this section for monitoring and assessment of results at the program level; and

''(3) use the integrated multiagency performance measures established under this section.

''(e) REPORTING REQUIREMENTS.—Not later than March 15 of each year, the Secretary, in cooperation with the Chair, the Administrator, the Directors, the Planning Agency, and the States of California and Nevada, consistent with subsection (a), shall submit to Congress a report that describes—

''(1) the status of all Federal, State, local, and private programs authorized under this Act, including to the maximum extent practicable, for programs that will receive Federal funds under this Act during the current or subsequent fiscal year—

''(A) the program scope;

''(B) the budget for the program; and

''(C) the justification for the program, consistent with the criteria established in section 5(b)(2);

''(2) Federal, State, local, and private expenditures in the preceding fiscal year to implement the Environmental Improvement Program;

''(3) accomplishments in the preceding fiscal year in implementing this Act in accordance with the performance measures and other monitoring and assessment activities; and

''(4) public education and outreach efforts undertaken to implement programs authorized under this Act.

''(f) ANNUAL BUDGET PLAN.—As part of the annual budget of the President, the President shall submit information regarding each Federal agency involved in the Environmental Improvement Program (including the Forest Service, the Environmental Protection Agency, the United States Fish and Wildlife Service, the United States Geological Survey, and the Corps of Engineers), including—

''(1) an interagency crosscut budget that displays the proposed budget for use by each Federal agency in carrying out restoration activities relating to the Environmental Improvement Program for the following fiscal year;

''(2) a detailed accounting of all amounts received and obligated by Federal agencies to achieve the goals of the Environmental Improvement Program during the preceding fiscal year; and

''(3) a description of the Federal role in the Environmental Improvement Program, including the specific role of each agency involved in the restoration of the Lake Tahoe Basin.''.

SEC. 7626. CONFORMING AMENDMENTS; UPDATES TO RELATED LAWS.

(a) LAKE TAHOE RESTORATION ACT.—The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended—

(1) by striking sections 8 and 9;

(2) by redesignating sections 10, 11, and 12 as sections 8, 9, and 10, respectively; and

(3) in section 9 (as redesignated by paragraph (2)) by inserting '', Director, or Administrator'' after ''Secretary''.

(b) TAHOE REGIONAL PLANNING COMPACT.—Subsection (c) of Article V of the Tahoe Regional Planning Compact (Public Law 96–551; 94 Stat. 3240) is amended in the third sentence by inserting ''and, in so doing, shall ensure that the regional plan reflects changing economic conditions and the economic effect of regulation on commerce'' after ''maintain the regional plan''.

(c) TREATMENT UNDER TITLE 49, UNITED STATES CODE.—Section 5303(r)(2)(C) of title 49, United States Code, is amended—

(1) by inserting ''and 25 square miles of land area'' after ''145,000''; and

(2) by inserting ''and 12 square miles of land area'' after ''65,000''.

SEC. 7627. AUTHORIZATION OF APPROPRIATIONS.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 10 (as redesignated by section 7626(a)(2)) and inserting the following:

''SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

''(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act $415,000,000 for a period of 10 fiscal years beginning the first fiscal year after the date of enactment of the Water Resources Development Act of 2016.

''(b) EFFECT ON OTHER FUNDS.—Amounts authorized under this section and any amendments made by this Act—

''(1) shall be in addition to any other amounts made available to the Secretary, the Administrator, or the Directors for expenditure in the Lake Tahoe Basin; and

''(2) shall not reduce allocations for other Regions of the Forest Service, the Environmental Protection Agency, or the United States Fish and Wildlife Service.

''(c) COST-SHARING REQUIREMENT.—Except as provided in subsection (d) and section 5(d)(1)(D), funds for activities carried out under section 5 shall be available for obligation on a 1-to-1 basis with funding of restoration activities in the Lake Tahoe Basin by the States of California and Nevada.

''(d) RELOCATION COSTS.—Notwithstanding subsection (c), the Secretary shall provide to local utility districts ⅔ of the costs of relocating facilities in connection with—

''(1) environmental restoration programs under sections 5 and 6; and

''(2) erosion control programs under section 2 of Public Law 96–586 (94 Stat. 3381).

''(e) SIGNAGE.—To the maximum extent practicable, a program provided assistance under this Act shall include appropriate signage at the program site that—

''(1) provides information to the public on—

''(A) the amount of Federal funds being provided to the program; and

''(B) this Act; and

''(2) displays the visual identity mark of the Environmental Improvement Program.''.

SEC. 7628. LAND TRANSFERS TO IMPROVE MANAGEMENT EFFICIENCIES OF FEDERAL AND STATE LAND.

Section 3(b) of Public Law 96–586 (94 Stat. 3384) (commonly known as the ''Santini-Burton Act'') is amended—

(1) by striking ''(b) Lands'' and inserting the following:

''(b) ADMINISTRATION OF ACQUIRED LAND.—

''(1) IN GENERAL.—Land''; and

(2) by adding at the end the following:

''(2) CALIFORNIA CONVEYANCES.—

''(A) IN GENERAL.—If the State of California (acting through the California Tahoe Conservancy and the California Department of Parks and Recreation) offers to donate to the United States the non-Federal land described in subparagraph (B)(i), the Secretary—

''(i) may accept the offer; and

''(ii) convey to the State of California, subject to valid existing rights and for no consideration, all right, title, and interest of the United States in and to the Federal land.

''(B) DESCRIPTION OF LAND.—

''(i) NON-FEDERAL LAND.—The non-Federal land referred to in subparagraph (A) includes—

''(I) the approximately 1,936 acres of land administered by the California Tahoe Conservancy and identified on the Maps as 'Tahoe Conservancy to the USFS'; and

''(II) the approximately 183 acres of land administered by California State Parks and identified on the Maps as 'Total USFS to California'.

''(ii) FEDERAL LAND.—The Federal land referred to in subparagraph (A) includes the approximately 1,995 acres of Forest Service land identified on the Maps as 'U.S. Forest Service to Conservancy and State Parks'.

''(C) CONDITIONS.—Any land conveyed under this paragraph shall—

''(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies;

''(ii) not result in any significant changes in the uses of the land; and

''(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

''(I) to ensure compliance with this Act; and

''(II) to ensure that the transfer of development rights associated with the conveyed parcels shall not be recognized or available for transfer under chapter 51 of the Code of Ordinances for the Tahoe Regional Planning Agency.

''(D) CONTINUATION OF SPECIAL USE PERMITS.—The land conveyance under this paragraph shall be subject to the condition that the State of California accept all special use permits applicable, as of the date of enactment of the Water Resources Development Act of 2016, to the land described in subparagraph (B)(ii) for the duration of the special use permits, and subject to the terms and conditions of the special use permits.

''(3) NEVADA CONVEYANCES.—

''(A) IN GENERAL.—In accordance with this section and on request by the Governor of Nevada, the Secretary may transfer the land or interests in land described in subparagraph (B) to the State of Nevada without consideration, subject to appropriate deed restrictions to protect the environmental quality and public recreational use of the land transferred.

''(B) DESCRIPTION OF LAND.—The land referred to in subparagraph (A) includes—

''(i) the approximately 38.68 acres of Forest Service land identified on the map entitled 'State of Nevada Conveyances' as 'Van Sickle Unit USFS Inholding'; and

''(ii) the approximately 92.28 acres of Forest Service land identified on the map entitled 'State of Nevada Conveyances' as 'Lake Tahoe Nevada State Park USFS Inholding'.

''(C) CONDITIONS.—Any land conveyed under this paragraph shall—

''(i) be for the purpose of consolidating Federal and State ownerships and improving management efficiencies;

''(ii) not result in any significant changes in the uses of the land; and

''(iii) be subject to the condition that the applicable deed include such terms, restrictions, covenants, conditions, and reservations as the Secretary determines necessary—

''(I) to ensure compliance with this Act; and

''(II) to ensure that the development rights associated with the conveyed parcels shall not be recognized or available for transfer under section 90.2 of the Code of Ordinances for the Tahoe Regional Planning Agency.

''(D) CONTINUATION OF SPECIAL USE PERMITS.—The land conveyance under this paragraph shall be subject to the condition that the State of Nevada accept all special use permits applicable, as of the date of enactment of the Water Resources Development Act of 2016, to the land described in subparagraph (B)(ii) for the duration of the special use permits, and subject to the terms and conditions of the special use permits.

''(4) AUTHORIZATION FOR CONVEYANCE OF FOREST SERVICE URBAN LOTS.—

''(A) CONVEYANCE AUTHORITY.—Except in the case of land described in paragraphs (2) and (3), the Secretary of Agriculture may convey any urban lot within the Lake Tahoe Basin under the administrative jurisdiction of the Forest Service.

''(B) CONSIDERATION.—A conveyance under subparagraph (A) shall require consideration in an amount equal to the fair market value of the conveyed lot.

''(C) AVAILABILITY AND USE.—The proceeds from a conveyance under subparagraph (A) shall be retained by the Secretary of Agriculture and used for—

''(i) purchasing inholdings throughout the Lake Tahoe Basin; or

''(ii) providing additional funds to carry out the Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) in excess of amounts made available under section 10 of that Act.

''(D) OBLIGATION LIMIT.—The obligation and expenditure of proceeds retained under this paragraph shall be subject to such fiscal year limitation as may be specified in an Act making appropriations for the Forest Service for a fiscal year.

''(5) REVERSION.—If a parcel of land transferred under paragraph (2) or (3) is used in a manner that is inconsistent with the use described for the parcel of land in paragraph (2)

or (3), respectively, the parcel of land, shall, at the discretion of the Secretary, revert to the United States.

''(6) FUNDING.—

''(A) IN GENERAL.—Of the amounts made available under section 10(a) of the Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351), $2,000,000 shall be made available to the Secretary to carry out the activities under paragraphs (2), (3), and (4).

''(B) OTHER FUNDS.—Of the amounts available to the Secretary under paragraph (1), not less than 50 percent shall be provided to the California Tahoe Conservancy to facilitate the conveyance of land described in paragraphs (2) and (3).''.

PART III—LONG ISLAND SOUND RESTORATION

SEC. 7631. RESTORATION AND STEWARDSHIP PROGRAMS.

(a) LONG ISLAND SOUND RESTORATION PROGRAM.—Section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269) is amended—

(1) in subsection (b), by striking the subsection designation and heading and all that follows through ''The Office shall'' and inserting the following:

''(b) OFFICE.—

''(1) ESTABLISHMENT.—The Administrator shall—

''(A) continue to carry out the conference study; and

''(B) establish an office, to be located on or near Long Island Sound.

''(2) ADMINISTRATION AND STAFFING.—The Office shall'';

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''Management Conference of the Long Island Sound Study'' and inserting ''conference study'';

(B) in paragraph (2)—

(i) in each of subparagraphs (A) through (G), by striking the commas at the end of the subparagraphs and inserting semicolons;

(ii) in subparagraph (H), by striking '', and'' and inserting a semicolon;

(iii) in subparagraph (I), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

''(J) environmental impacts on the Long Island Sound watershed, including—

''(i) the identification and assessment of vulnerabilities in the watershed;

''(ii) the development and implementation of adaptation strategies to reduce those vulnerabilities; and

''(iii) the identification and assessment of the impacts of sea level rise on water quality, habitat, and infrastructure; and

''(K) planning initiatives for Long Island Sound that identify the areas that are most suitable for various types or classes of activities in order to reduce conflicts among uses, reduce adverse environmental impacts, facilitate compatible uses, or preserve critical ecosystem services to meet economic, environmental, security, or social objectives;'';

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

''(4) develop and implement strategies to increase public education and awareness with respect to the ecological health and water quality conditions of Long Island Sound;'';

(D) in paragraph (5), by inserting ''study'' after ''conference'';

(E) in paragraph (6)—

(i) by inserting ''(including on the Internet)'' after ''the public''; and

(ii) by inserting ''study'' after ''conference''; and

(F) by striking paragraph (7) and inserting the following:

''(7) monitor the progress made toward meeting the identified goals, actions, and schedules of the Comprehensive Conservation and Management Plan, including through the implementation and support of a monitoring system for the ecological health and water quality conditions of Long Island Sound; and'';

(3) in subsection (d)(3), in the second sentence, by striking ''50 per centum'' and inserting ''60 percent'';

(4) by redesignating subsection (f) as subsection (i); and

(5) by inserting after subsection (e) the following:

''(f) REPORT.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Water Resources Development Act of 2016, and biennially thereafter, the Director of the Office, in consultation with the Governor of each Long Island Sound State, shall submit to Congress a report that—

''(A) summarizes and assesses the progress made by the Office and the Long Island Sound States in implementing the Long Island Sound Comprehensive Conservation and Management Plan, including an assessment of the progress made toward meeting the performance goals and milestones contained in the Plan;

''(B) assesses the key ecological attributes that reflect the health of the ecosystem of the Long Island Sound watershed;

''(C) describes any substantive modifications to the Long Island Sound Comprehensive Conservation and Management Plan made during the 2-year period preceding the date of submission of the report;

''(D) provides specific recommendations to improve progress in restoring and protecting the Long Island Sound watershed, including, as appropriate, proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan;

''(E) identifies priority actions for implementation of the Long Island Sound Comprehensive Conservation and Management Plan for the 2-year period following the date of submission of the report; and

''(F) describes the means by which Federal funding and actions will be coordinated with the actions of the Long Island Sound States and other entities.

''(2) PUBLIC AVAILABILITY.—The Administrator shall make the report described in paragraph (1) available to the public, including on the Internet.

''(g) ANNUAL BUDGET PLAN.—The President shall submit, together with the annual budget of the United States Government submitted under section 1105(a) of title 31, United States Code, information regarding each Federal department and agency involved in the protection and restoration of the Long Island Sound watershed, including—

''(1) an interagency crosscut budget that displays for each department and agency—

''(A) the amount obligated during the preceding fiscal year for protection and restoration projects and studies relating to the watershed;

''(B) the estimated budget for the current fiscal year for protection and restoration projects and studies relating to the watershed; and

''(C) the proposed budget for succeeding fiscal years for protection and restoration projects and studies relating to the watershed; and

''(2) a summary of any proposed modifications to the Long Island Sound Comprehensive Conservation and Management Plan for the following fiscal year.

''(h) FEDERAL ENTITIES.—

''(1) COORDINATION.—The Administrator shall coordinate the actions of all Federal departments and agencies that impact water quality in the Long Island Sound watershed in order to improve the water quality and living resources of the watershed.

''(2) METHODS.—In carrying out this section, the Administrator, acting through the Director of the Office, may—

''(A) enter into interagency agreements; and

''(B) make intergovernmental personnel appointments.

''(3) FEDERAL PARTICIPATION IN WATERSHED PLANNING.—A Federal department or agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall participate in regional and subwatershed planning, protection, and restoration activities with respect to the watershed.

''(4) CONSISTENCY WITH COMPREHENSIVE CONSERVATION AND MANAGEMENT PLAN.—To the maximum extent practicable, the head of each Federal department and agency that owns or occupies real property, or carries out activities, within the Long Island Sound watershed shall ensure that the property and all activities carried out by the department or agency are consistent with the Long Island Sound Comprehensive Conservation and Management Plan (including any related subsequent agreements and plans).''.

(b) LONG ISLAND SOUND STEWARDSHIP PROGRAM.—

(1) LONG ISLAND SOUND STEWARDSHIP ADVISORY COMMITTEE.—Section 8 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) is amended—

(A) in subsection (g), by striking ''2011'' and inserting ''2021''; and

(B) by adding at the end the following:

''(h) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to—

''(1) the Advisory Committee; or

''(2) any board, committee, or other group established under this Act.''.

(2) REPORTS.—Section 9(b)(1) of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) is amended in the matter preceding subparagraph (A) by striking ''2011'' and inserting ''2021''.

(3) AUTHORIZATION.—Section 11 of the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359) is amended—

(A) by striking subsection (a);

(B) by redesignating subsections (b) through (d) as subsections (a) through (c), respectively; and

(C) in subsection (a) (as so redesignated), by striking ''under this section each'' and inserting ''to carry out this Act for a''.

(4) EFFECTIVE DATE.—The amendments made by this subsection take effect on October 1, 2011.

SEC. 7632. REAUTHORIZATION.

(a) IN GENERAL.—There are authorized to be appropriated to the Administrator such sums as are necessary for each of fiscal years 2017 through 2021 for the implementation of—

(1) section 119 of the Federal Water Pollution Control Act (33 U.S.C. 1269), other than subsection (d) of that section; and

(2) the Long Island Sound Stewardship Act of 2006 (33 U.S.C. 1269 note; Public Law 109–359).

(b) LONG ISLAND SOUND GRANTS.—There is authorized to be appropriated to the Administrator to carry out section 119(d) of the Federal Water Pollution Control Act (33 U.S.C. 1269(d)) $40,000,000 for each of fiscal years 2017 through 2021.

(c) LONG ISLAND SOUND STEWARDSHIP GRANTS.—There is authorized to be appropriated to the Administrator to carry out the Long Island Sound Stewardship Act of

2006 (33 U.S.C. 1269 note; Public Law 109–359) $25,000,000 for each of fiscal years 2017 through 2021.

PART IV—DELAWARE RIVER BASIN CONSERVATION

SEC. 7641. FINDINGS.

Congress finds that—

(1) the Delaware River Basin is a national treasure of great cultural, environmental, ecological, and economic importance;

(2) the Basin contains over 12,500 square miles of land in the States of Delaware, New Jersey, New York, and Pennsylvania, including nearly 800 square miles of bay and more than 2,000 tributary rivers and streams;

(3) the Basin is home to more than 8,000,000 people who depend on the Delaware River and the Delaware Bay as an economic engine, a place of recreation, and a vital habitat for fish and wildlife;

(4) the Basin provides clean drinking water to more than 15,000,000 people, including New York City, which relies on the Basin for approximately half of the drinking water supply of the city, and Philadelphia, whose most significant threat to the drinking water supply of the city is loss of forests and other natural cover in the Upper Basin, according to a study conducted by the Philadelphia Water Department;

(5) the Basin contributes $25,000,000,000 annually in economic activity, provides $21,000,000,000 in ecosystem goods and services per year, and is directly or indirectly responsible for 600,000 jobs with $10,000,000,000 in annual wages;

(6) almost 180 species of fish and wildlife are considered special status species in the Basin due to habitat loss and degradation, particularly sturgeon, eastern oyster, horseshoe crabs, and red knots, which have been identified as unique species in need of habitat improvement;

(7) the Basin provides habitat for over 200 resident and migrant fish species, includes significant recreational fisheries, and is an important source of eastern oyster, blue crab, and the largest population of the American horseshoe crab;

(8) the annual dockside value of commercial eastern oyster fishery landings for the Delaware Estuary is nearly $4,000,000, making it the fourth most lucrative fishery in the Delaware River Basin watershed, and proven management strategies are available to increase oyster habitat, abundance, and harvest;

(9) the Delaware Bay has the second largest concentration of shorebirds in North America and is designated as one of the 4 most important shorebird migration sites in the world;

(10) the Basin, 50 percent of which is forested, also has over 700,000 acres of wetland, more than 126,000 acres of which are recognized as internationally important, resulting in a landscape that provides essential ecosystem services, including recreation, commercial, and water quality benefits;

(11) much of the remaining exemplary natural landscape in the Basin is vulnerable to further degradation, as the Basin gains approximately 10 square miles of developed land annually, and with new development, urban watersheds are increasingly covered by impervious surfaces, amplifying the quantity of polluted runoff into rivers and streams;

(12) the Delaware River is the longest undammed river east of the Mississippi; a critical component of the National Wild and Scenic Rivers System in the Northeast, with more than 400 miles designated; home to one of the most heavily visited National Park units in the United States, the Delaware Water Gap National Recreation Area; and the location of 6 National Wildlife Refuges;

(13) the Delaware River supports an internationally renowned cold water fishery in more than 80 miles of its northern headwaters that attracts tens of thousands of visitors each year and generates over $21,000,000 in annual revenue through tourism and recreational activities;

(14) management of water volume in the Basin is critical to flood mitigation and habitat for fish and wildlife, and following 3 major floods along the Delaware River since 2004, the Governors of the States of Delaware, New Jersey, New York, and Pennsylvania have called for natural flood damage reduction measures to combat the problem, including restoring the function of riparian corridors;

(15) the Delaware River Port Complex (including docking facilities in the States of Delaware, New Jersey, and Pennsylvania) is one of the largest freshwater ports in the world, the Port of Philadelphia handles the largest volume of international tonnage and 70 percent of the oil shipped to the East Coast, and the Port of Wilmington, a full-service deepwater port and marine terminal supporting more than 12,000 jobs, is the busiest terminal on the Delaware River, handling more than 400 vessels per year with an annual import/export cargo tonnage of more than 4,000,000 tons;

(16) the Delaware Estuary, where freshwater from the Delaware River mixes with saltwater from the Atlantic Ocean, is one of the largest and most complex of the 28 estuaries in the National Estuary Program, and the Partnership for the Delaware Estuary works to improve the environmental health of the Delaware Estuary;

(17) the Delaware River Basin Commission is a Federal-interstate compact government agency charged with overseeing a unified approach to managing the river system and implementing important water resources management projects and activities throughout the Basin that are in the national interest;

(18) restoration activities in the Basin are supported through several Federal and State agency programs, and funding for those important programs should continue and complement the establishment of the Delaware River Basin Restoration Program, which is intended to build on and help coordinate restoration and protection funding mechanisms at the Federal, State, regional, and local levels; and

(19) the existing and ongoing voluntary conservation efforts in the Delaware River Basin necessitate improved efficiency and cost effectiveness, as well as increased private-sector investments and coordination of Federal and non-Federal resources.

SEC. 7642. DEFINITIONS.

In this part:

(1) BASIN.—The term ''Basin'' means the 4-State Delaware Basin region, including all of Delaware Bay and portions of the States of Delaware, New Jersey, New York, and Pennsylvania located in the Delaware River watershed.

(2) BASIN STATE.—The term ''Basin State'' means each of the States of Delaware, New Jersey, New York, and Pennsylvania.

(3) DIRECTOR.—The term ''Director'' means the Director of the United States Fish and Wildlife Service.

(4) FOUNDATION.—The term ''Foundation'' means the National Fish and Wildlife Foundation, a congressionally chartered foundation established by section 2 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701).

(5) GRANT PROGRAM.—The term ''grant program'' means the voluntary Delaware River Basin Restoration Grant Program established under section 7644.

(6) PROGRAM.—The term ''program'' means the nonregulatory Delaware River Basin restoration program established under section 7643.

(7) RESTORATION AND PROTECTION.—The term ''restoration and protection'' means the conservation, stewardship, and enhancement of habitat for fish and wildlife to preserve and improve ecosystems and ecological processes on which they depend, and for use and enjoyment by the public.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director.

(9) SERVICE.—The term ''Service'' means the United States Fish and Wildlife Service.

SEC. 7643. PROGRAM ESTABLISHMENT.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a nonregulatory program to be known as the ''Delaware River Basin restoration program''.

(b) DUTIES.—In carrying out the program, the Secretary shall—

(1) draw on existing and new management plans for the Basin, or portions of the Basin, and work in consultation with applicable management entities, including representatives of the Partnership for the Delaware Estuary, the Delaware River Basin Commission, the Federal Government, and other State and local governments, and regional and nonprofit organizations, as appropriate, to identify, prioritize, and implement restoration and protection activities within the Basin;

(2) adopt a Basinwide strategy that—

(A) supports the implementation of a shared set of science-based restoration and protection activities developed in accordance with paragraph (1);

(B) targets cost-effective projects with measurable results; and

(C) maximizes conservation outcomes with no net gain of Federal full-time equivalent employees; and

(3) establish the voluntary grant and technical assistance programs in accordance with section 7644.

(c) COORDINATION.—In establishing the program, the Secretary shall consult, as appropriate, with—

(1) the heads of Federal agencies, including—

(A) the Administrator;

(B) the Administrator of the National Oceanic and Atmospheric Administration;

(C) the Chief of the Natural Resources Conservation Service;

(D) the Chief of Engineers; and

(E) the head of any other applicable agency;

(2) the Governors of the Basin States;

(3) the Partnership for the Delaware Estuary;

(4) the Delaware River Basin Commission;

(5) fish and wildlife joint venture partnerships; and

(6) other public agencies and organizations with authority for the planning and implementation of conservation strategies in the Basin.

(d) PURPOSES.—The purposes of the program include—

(1) coordinating restoration and protection activities among Federal, State, local, and regional entities and conservation partners throughout the Basin; and

(2) carrying out coordinated restoration and protection activities, and providing for technical assistance throughout the Basin and Basin States—

(A) to sustain and enhance fish and wildlife habitat restoration and protection activities;

(B) to improve and maintain water quality to support fish and wildlife, as well as the habitats of fish and wildlife, and drinking water for people;

(C) to sustain and enhance water management for volume and flood damage mitigation improvements to benefit fish and wildlife habitat;

(D) to improve opportunities for public access and recreation in the Basin consistent with the ecological needs of fish and wildlife habitat;

(E) to facilitate strategic planning to maximize the resilience of natural systems and habitats under changing watershed conditions;

(F) to engage the public through outreach, education, and citizen involvement, to increase capacity and support for coordinated restoration and protection activities in the Basin;

(G) to increase scientific capacity to support the planning, monitoring, and research activities necessary to carry out coordinated restoration and protection activities; and

(H) to provide technical assistance to carry out restoration and protection activities in the Basin.

SEC. 7644. GRANTS AND ASSISTANCE.

(a) DELAWARE RIVER BASIN RESTORATION GRANT PROGRAM.—To the extent that funds are available to carry out this section, the Secretary shall establish a voluntary grant and technical assistance program to be known as the ''Delaware River Basin Restoration Grant Program'' to provide competitive matching grants of varying amounts to State and local governments, nonprofit organizations, institutions of higher education, and other eligible entities to carry out activities described in section 7643(d).

(b) CRITERIA.—The Secretary, in consultation with the organizations described in section 7643(c), shall develop criteria for the grant program to help ensure that activities funded under this section accomplish one or more of the purposes identified in section 7643(d)(2) and advance the implementation of priority actions or needs identified in the Basinwide strategy adopted under section 7643(b)(2).

(c) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost of a project funded under the grant program shall not exceed 50 percent of the total cost of the activity, as determined by the Secretary.

(2) NON-FEDERAL SHARE.—The non-Federal share of the cost of a project funded under the grant program may be provided in cash or in the form of an in-kind contribution of services or materials.

(d) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary may enter into an agreement to manage the grant program with the National Fish and Wildlife Foundation or a similar organization that offers grant management services.

(2) FUNDING.—If the Secretary enters into an agreement under paragraph (1), the organization selected shall—

(A) for each fiscal year, receive amounts to carry out this section in an advance payment of the entire amount on October 1, or as soon as practicable thereafter, of that fiscal year;

(B) invest and reinvest those amounts for the benefit of the grant program; and

(C) otherwise administer the grant program to support partnerships between the public and private sectors in accordance with this part.

(3) REQUIREMENTS.—If the Secretary enters into an agreement with the Foundation under paragraph (1), any amounts received by the Foundation under this section shall be subject to the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.), excluding section 10(a) of that Act (16 U.S.C. 3709(a)).

SEC. 7645. ANNUAL REPORTS.

Not later than 180 days after the date of enactment of this Act and annually thereafter, the Secretary shall submit to Congress a report on the implementation of this part, including a description of each project that has received funding under this part.

SEC. 7646. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out this part $5,000,000 for each of fiscal years 2017 through 2022.

(b) USE.—Of any amount made available under this section for each fiscal year, the Secretary shall use at least 75 percent to carry out the grant program under section 7644 and to provide, or provide for, technical assistance under that program.

PART V—COLUMBIA RIVER BASIN RESTORATION

SEC. 7651. COLUMBIA RIVER BASIN RESTORATION.

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

''SEC. 123. COLUMBIA RIVER BASIN RESTORATION.

''(a) DEFINITIONS.—

''(1) COLUMBIA RIVER BASIN.—The term 'Columbia River Basin' means the entire United States portion of the Columbia River watershed.

''(2) ESTUARY PARTNERSHIP.—The term 'Estuary Partnership' means the Lower Columbia Estuary Partnership, an entity created by the States of Oregon and Washington and the Environmental Protection Agency under section 320.

''(3) ESTUARY PLAN.—

''(A) IN GENERAL.—The term 'Estuary Plan' means the Estuary Partnership Comprehensive Conservation and Management Plan adopted by the Environmental Protection Agency and the Governors of Oregon and Washington on October 20, 1999, under section 320.

''(B) INCLUSION.—The term 'Estuary Plan' includes any amendments to the plan.

''(4) LOWER COLUMBIA RIVER ESTUARY.—The term 'Lower Columbia River Estuary' means the mainstem Columbia River from the Bonneville Dam to the Pacific Ocean and tidally influenced portions of tributaries to the Columbia River in that region.

''(5) MIDDLE AND UPPER COLUMBIA RIVER BASIN.—The term 'Middle and Upper Columbia River Basin' means the region consisting of the United States portion of the Columbia River Basin above Bonneville Dam.

''(6) PROGRAM.—The term 'Program' means the Columbia River Basin Restoration Program established under subsection (b)(1)(A).

''(b) COLUMBIA RIVER BASIN RESTORATION PROGRAM.—

''(1) ESTABLISHMENT.—

''(A) IN GENERAL.—The Administrator shall establish within the Environmental Protection Agency a Columbia River Basin Restoration Program.

''(B) EFFECT.—

''(i) The establishment of the Program does not modify any legal or regulatory authority or program in effect as of the date of enactment of this section, including the roles of Federal agencies in the Columbia River Basin.

''(ii) This section does not create any new regulatory authority.

''(2) SCOPE OF PROGRAM.—The Program shall consist of a collaborative stakeholder-based program for environmental protection and restoration activities throughout the Columbia River Basin.

''(3) DUTIES.—The Administrator shall—

''(A) assess trends in water quality, including trends that affect uses of the water of the Columbia River Basin;

''(B) collect, characterize, and assess data on water quality to identify possible causes of environmental problems; and

''(C) provide grants in accordance with subsection (d) for projects that assist in—

''(i) eliminating or reducing pollution;

''(ii) cleaning up contaminated sites;

''(iii) improving water quality;

''(iv) monitoring to evaluate trends;

''(v) reducing runoff;

''(vi) protecting habitat; or

''(vii) promoting citizen engagement or knowledge.

''(c) STAKEHOLDER WORKING GROUP.—

''(1) ESTABLISHMENT.—The Administrator shall establish a Columbia River Basin Restoration Working Group (referred to in this subsection as the 'Working Group').

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—Membership in the Working Group shall be on a voluntary basis and any person invited by the Administrator under this subsection may decline membership.

''(B) INVITED REPRESENTATIVES.—The Administrator shall invite, at a minimum, representatives of—

''(i) each State located in whole or in part within the Columbia River Basin;

''(ii) the Governors of each State located in whole or in part with the Columbia River Basin;

''(iii) each federally recognized Indian tribe in the Columbia River Basin;

''(iv) local governments located in the Columbia River Basin;

''(v) industries operating in the Columbia River Basin that affect or could affect water quality;

''(vi) electric, water, and wastewater utilities operating in the Columba River Basin;

''(vii) private landowners in the Columbia River Basin;

''(viii) soil and water conservation districts in the Columbia River Basin;

''(ix) nongovernmental organizations that have a presence in the Columbia River Basin;

''(x) the general public in the Columbia River Basin; and

''(xi) the Estuary Partnership.

''(3) GEOGRAPHIC REPRESENTATION.—The Working Group shall include representatives from—

''(A) each State; and

''(B) each of the Lower, Middle, and Upper Basins of the Columbia River.

''(4) DUTIES AND RESPONSIBILITIES.—The Working Group shall—

''(A) recommend and prioritize projects and actions; and

''(B) review the progress and effectiveness of projects and actions implemented.

''(5) LOWER COLUMBIA RIVER ESTUARY.—

''(A) ESTUARY PARTNERSHIP.—The Estuary Partnership shall perform the duties and fulfill the responsibilities of the Working Group described in paragraph (4) as those duties and responsibilities relate to the Lower Columbia River Estuary for such time as the Estuary Partnership is the management conference for the Lower Columbia River National Estuary Program under section 320.

''(B) DESIGNATION.—If the Estuary Partnership ceases to be the management conference for the Lower Columbia River National Estuary Program under section 320, the Administrator may designate the new management conference to assume the duties and responsibilities of the Working Group described in paragraph (4) as those duties and responsibilities relate to the Lower Columbia River Estuary.

''(C) INCORPORATION.—If the Estuary Partnership is removed from the National Estuary Program, the duties and responsibilities for the lower 146 miles of the Columbia River pursuant to this Act shall be incorporated into the duties of the Working Group.

''(d) GRANTS.—

''(1) IN GENERAL.—The Administrator shall establish a voluntary, competitive Columbia River Basin program to provide grants to State governments, tribal governments, regional water pollution control agencies and entities, local government entities, nongovernmental entities, or soil and water conservation districts to develop or implement projects authorized under this section for the purpose of environmental protection and restoration activities throughout the Columbia River Basin.

''(2) FEDERAL SHARE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share of the cost of any project or activity carried out using funds from a grant provided to any person (including a State, tribal, or local government or interstate or regional agency) under this subsection for a fiscal year—

''(i) shall not exceed 75 percent of the total cost of the project or activity; and

''(ii) shall be made on condition that the non-Federal share of that total cost shall be provided from non-Federal sources.

''(B) EXCEPTIONS.—With respect to cost-sharing for a grant provided under this subsection—

''(i) a tribal government may use Federal funds for the non-Federal share; and

''(ii) the Administrator may increase the Federal share under such circumstances as the Administrator determines to be appropriate.

''(3) ALLOCATION.—In making grants using funds appropriated to carry out this section, the Administrator shall—

''(A) provide not less than 25 percent of the funds to make grants for projects, programs, and studies in the Lower Columbia River Estuary;

''(B) provide not less than 25 percent of the funds to make grants for projects, programs, and studies in the Middle and Upper Columbia River Basin, which includes the Snake River Basin; and

''(C) retain for Environmental Protection Agency not more than 5 percent of the funds for purposes of implementing this section.

''(4) REPORTING.—

''(A) IN GENERAL.—Each grant recipient under this subsection shall submit to the Administrator reports on progress being made in achieving the purposes of this section.

''(B) REQUIREMENTS.—The Administrator shall establish requirements and timelines for recipients of grants under this subsection to report on progress made in achieving the purposes of this section.

''(5) RELATIONSHIP TO OTHER FUNDING.—

''(A) IN GENERAL.—Nothing in this subsection limits the eligibility of the Estuary Partnership to receive funding under section 320(g).

''(B) LIMITATION.—None of the funds made available under this subsection may be used for the administration of a management conference under section 320.

''(e) ANNUAL BUDGET PLAN.—The President, as part of the annual budget submission of the President to Congress under section 1105(a) of title 31, United States Code, shall submit information regarding each Federal agency involved in protection and restoration of the Columbia River Basin, including an interagency crosscut budget that displays for each Federal agency—

''(1) the amounts obligated for the preceding fiscal year for protection and restoration projects, programs, and studies relating to the Columbia River Basin;

''(2) the estimated budget for the current fiscal year for protection and restoration projects, programs, and studies relating to the Columbia River Basin; and

''(3) the proposed budget for protection and restoration projects, programs, and studies relating to the Columbia River Basin.''.

Subtitle G—Innovative Water Infrastructure Workforce Development

SEC. 7701. INNOVATIVE WATER INFRASTRUCTURE WORKFORCE DEVELOPMENT PROGRAM.

(a) GRANTS AUTHORIZED.—The Administrator shall establish a competitive grant program to assist the development of innovative activities relating to workforce development in the water utility sector.

(b) SELECTION OF GRANT RECIPIENTS.—In awarding grants under subsection (a), the Administrator shall, to the maximum extent practicable, select water utilities that—

(1) are geographically diverse;

(2) address the workforce and human resources needs of large and small public water and wastewater utilities;

(3) address the workforce and human resources needs of urban and rural public water and wastewater utilities;

(4) advance training relating to construction, utility operations, treatment and distribution, green infrastructure, customer service, maintenance, and engineering; and

(5)(A) have a high retiring workforce rate; or

(B) are located in areas with a high unemployment rate.

(c) USE OF FUNDS.—Grants awarded under subsection (a) may be used for activities such as—

(1) targeted internship, apprenticeship, preapprenticeship, and post-secondary bridge programs for mission-critical skilled trades, in collaboration with labor organizations, community colleges, and other training and education institutions that provide—

(A) on-the-job training;

(B) soft and hard skills development;

(C) test preparation for skilled trade apprenticeships; or

(D) other support services to facilitate post-secondary success;

(2) kindergarten through 12th grade and young adult education programs that—

(A) educate young people about the role of water and wastewater utilities in the communities of the young people;

(B) increase the career awareness and exposure of the young people to water utility careers through various work-based learning opportunities inside and outside the classroom; and

(C) connect young people to post-secondary career pathways related to water utilities;

(3) regional industry and workforce development collaborations to identify water utility employment needs, map existing career pathways, support the development of curricula, facilitate the sharing of resources, and coordinate candidate development, staff preparedness efforts, and activities that engage and support—

(A) water utilities employers;

(B) educational and training institutions;

(C) local community-based organizations;

(D) public workforce agencies; and

(E) other related stakeholders;

(4) integrated learning laboratories embedded in high schools or other secondary educational institutions that provide students with—

(A) hands-on, contextualized learning opportunities;

(B) dual enrollment credit for post-secondary education and training programs; and

(C) direct connection to industry employers; and

(5) leadership development, occupational training, mentoring, or cross-training programs that ensure that incumbent water and wastewater utilities workers are prepared for higher-level supervisory or management-level positions.

Subtitle H—Offset

SEC. 7801. OFFSET.

None of the funds available to the Secretary of Energy to provide any credit subsidy under subsection (d) of section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) as of the date of enactment of this Act shall be obligated for new loan commitments under that subsection on or after October 1, 2020.

TITLE VIII—MISCELLANEOUS PROVISIONS

SEC. 8001. APPROVAL OF STATE PROGRAMS FOR CONTROL OF COAL COMBUSTION RESIDUALS.

Section 4005 of the Solid Waste Disposal Act (42 U.S.C. 6945) is amended by adding at the end the following:

''(d) STATE PROGRAMS FOR CONTROL OF COAL COMBUSTION RESIDUALS.—

''(1) APPROVAL BY ADMINISTRATOR.—

''(A) IN GENERAL.—Each State may submit to the Administrator, in such form as the Administrator may establish, evidence of a permit program or other system of prior approval and conditions under State law for regulation by the State of coal combustion residual units that are located in the State in lieu of a Federal program under this subsection.

''(B) REQUIREMENT.—Not later than 90 days after the date on which a State submits the evidence described in subparagraph (A), the Administrator shall approve, in whole or in part, a permit program or other system of prior approval and conditions submitted under subparagraph (A) if the Administrator determines that the program or other system requires each coal combustion residual unit located in the State to achieve compliance with—

''(i) the applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a); or

''(ii) such other State criteria that the Administrator, after consultation with the State, determines to be at least as protective as the criteria described in clause (i).

''(C) PERMIT REQUIREMENTS.—The Administrator may approve under subparagraph (B)(ii) a State permit program or other system of prior approval and conditions that allows a State to include technical standards for individual permits or conditions of approval that differ from the technical standards under part 257 of title 40, Code of Federal Regulations (or successor regulations), if, based on site-specific conditions, the technical standards established pursuant to an approved State program or other system are at least as protective as the technical standards under that part.

''(D) WITHDRAWAL OF APPROVAL.—

''(i) PROGRAM REVIEW.—The Administrator shall review programs or other systems approved under subparagraph (B)—

''(I) from time to time, but not less frequently than once every 5 years; or

''(II) on request of any State.

''(ii) NOTIFICATION AND OPPORTUNITY FOR A PUBLIC HEARING.—The Administrator shall provide to the relevant State notice and an opportunity for a public hearing if the Administrator determines that—

''(I) a revision or correction to the permit program or other system of prior approval and conditions of the State is required for the State to achieve compliance with the requirements of subparagraph (B);

''(II) the State has not adopted and implemented an adequate permit program or other system of prior approval and conditions for each coal combustion residual unit located in the State to ensure compliance with the requirements of subparagraph (B); or

''(III) the State has, at any time, approved or failed to revoke a permit under this subsection that would lead to the violation of a law to protect human health or the environment of any other State.

''(iii) WITHDRAWAL.—

''(I) IN GENERAL.—The Administrator shall withdraw approval of a State permit program or other system of prior approval and conditions if, after the Administrator provides notice and an opportunity for a public hearing to the relevant State under clause (ii), the Administrator determines that the State has not corrected the deficiency.

''(II) REINSTATEMENT OF STATE APPROVAL.—Any withdrawal of approval under subclause (I) shall cease to be effective on the date on which the Administrator makes a determination that the State permit program or other system of prior approval and conditions complies with the requirements of subparagraph (B).

''(2) NONPARTICIPATING STATES.—

''(A) DEFINITION OF NONPARTICIPATING STATE.—In this paragraph, the term 'nonparticipating State' means a State—

''(i) for which the Administrator has not approved a State permit program or other system of prior approval and conditions under paragraph (1)(B);

''(ii) the Governor of which has not submitted to the Administrator for approval evidence to operate a State permit program or other system of prior approval and conditions under paragraph (1)(A);

''(iii) the Governor of which has provided notice to the Administrator that, not fewer than 90 days after the date on which the Governor provides notice to the Administrator, the State relinquishes an approval under paragraph (1)(B) to operate a permit program or other system of prior approval and conditions; or

''(iv) for which the Administrator has withdrawn approval for a permit program or other system of prior approval and conditions under paragraph (1)(D)(iii).

''(B) PERMIT PROGRAM.—In the case of a nonparticipating State for which the Administrator makes a determination that the nonparticipating State lacks the capacity to implement a permit program or other system of prior approval and conditions and subject to the availability of appropriations, the Administrator may implement a permit program to require each coal combustion residual unit located in the nonparticipating State to achieve compliance with applicable criteria established by the Administrator under part 257 of title 40, Code of Federal Regulations (or successor regulations).

''(3) APPLICABILITY OF CRITERIA.—The applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a), shall apply to each coal combustion residual unit in a State unless—

''(A) a permit under a State permit program or other system of prior approval and conditions approved by the Administrator under paragraph (1)(B) is in effect; or

''(B) a permit issued by the Administrator in a State in which the Administrator is implementing a permit program under paragraph (2)(B) is in effect.

''(4) PROHIBITION ON OPEN DUMPING.—

''(A) IN GENERAL.—Except as provided in subparagraph (B)(i) and subject to subparagraph (B)(ii), the Administrator may use the authority provided by sections 3007 and 3008 to enforce the prohibition against open dumping contained in subsection (a) with respect to a coal combustion residual unit.

''(B) FEDERAL ENFORCEMENT IN APPROVED STATE.—

''(i) IN GENERAL.—In the case of a coal combustion residual unit located in a State that is approved to operate a permit program or other system of prior approval and conditions under paragraph (1)(B), the Administrator may commence an administrative or judicial enforcement action under section 3008 if—

''(I) the State requests that the Administrator provide assistance in the performance of the enforcement action; or

''(II) after consideration of any other administrative or judicial enforcement action involving the coal combustion residual unit, the Administrator determines that an enforcement action is likely to be necessary to ensure that the coal combustion residual unit is operating in accordance with the criteria established under the permit program or other system of prior approval and conditions.

''(ii) NOTIFICATION.—In the case of an enforcement action by the Administrator under clause (i)(II), before issuing an order or commencing a civil action, the Administrator shall notify the State in which the coal combustion residual unit is located.

''(iii) ANNUAL REPORT TO CONGRESS.—Not later than December 31, 2017, and December 31 of each year thereafter, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes any enforcement action commenced under clause (i)(II), including a description of the basis for the enforcement action.

''(5) INDIAN COUNTRY.—The Administrator may establish and carry out a permit program, in accordance with this subsection, for coal combustion residual units in Indian country (as defined in section 1151 of title 18, United States Code) to require each coal combustion residual unit located in Indian country to achieve compliance with the applicable criteria established by the Administrator under part 257 of title 40, Code of Federal Regulations (or successor regulations).

''(6) TREATMENT OF COAL COMBUSTION RESIDUAL UNITS.—A coal combustion residual unit shall be considered to be a sanitary landfill for purposes of subsection (a) only if the coal combustion residual unit is operating in accordance with—

''(A) the requirements established pursuant to a program for which an approval is provided by—

''(i) the State in accordance with a program or system approved under paragraph (1)(B); or

''(ii) the Administrator pursuant to paragraph (2)(B) or paragraph (5); or

''(B) the applicable criteria for coal combustion residual units under part 257 of title 40, Code of Federal Regulations (or successor regulations), promulgated pursuant to sections 1008(a)(3) and 4004(a).

''(7) EFFECT OF SUBSECTION.—Nothing in this subsection affects any authority, regulatory determination, other law, or legal obligation in effect on the day before the date of enactment of the Water Resources Development Act of 2016.''.

SEC. 8002. CHOCTAW NATION OF OKLAHOMA AND THE CHICKASAW NATION WATER SETTLEMENT.

(a) PURPOSES.—The purposes of this section are—

(1) to permanently resolve and settle those claims to Settlement Area Waters of the Choctaw Nation of Oklahoma and the Chickasaw Nation as set forth in the Settlement Agreement and this section, including all claims or defenses in and to Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11–927 (W.D. Ok.), OWRB v. United States, et al. CIV 12–275 (W.D. Ok.), or any future stream adjudication;

(2) to approve, ratify, and confirm the Settlement Agreement;

(3) to authorize and direct the Secretary of the Interior to execute the Settlement Agreement and to perform all obligations of the Secretary of the Interior under the Settlement Agreement and this section;

(4) to approve, ratify, and confirm the amended storage contract among the State, the City and the Trust;

(5) to authorize and direct the Secretary to approve the amended storage contract for the Corps of Engineers to perform all obligations under the 1974 storage contract, the amended storage contract, and this section; and

(6) to authorize all actions necessary for the United States to meet its obligations under the Settlement Agreement, the amended storage contract, and this section.

(b) DEFINITIONS.—In this section:

(1) 1974 STORAGE CONTRACT.—The term ''1974 storage contract'' means the contract approved by the Secretary on April 9, 1974, between the Secretary and the Water Conservation Storage Commission of the State of Oklahoma pursuant to section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), and other applicable Federal law.

(2) 2010 AGREEMENT.—The term ''2010 agreement'' means the agreement entered into among the OWRB and the Trust, dated June 15, 2010, relating to the assignment by the State of the 1974 storage contract and transfer of rights, title, interests, and obligations under that contract to the Trust, including the interests of the State in the conservation storage capacity and associated repayment obligations to the United States.

(3) ADMINISTRATIVE SET-ASIDE SUBCONTRACTS.—The term ''administrative set-aside subcontracts'' means the subcontracts the City shall issue for the use of Conservation Storage Capacity in Sardis Lake as provided by section 4 of the amended storage contract.

(4) ALLOTMENT.—The term ''allotment'' means the land within the Settlement Area held by an allottee subject to a statutory restriction on alienation or held by the United States in trust for the benefit of an allottee.

(5) ALLOTTEE.—The term ''allottee'' means an enrolled member of the Choctaw Nation or citizen of the Chickasaw Nation who, or whose estate, holds an interest in an allotment.

(6) AMENDED PERMIT APPLICATION.—The term ''amended permit application'' means the permit application of the City to the OWRB, No. 2007–17, as amended as provided by the Settlement Agreement.

(7) AMENDED STORAGE CONTRACT TRANSFER AGREEMENT; AMENDED STORAGE CONTRACT .—The terms ''amended storage contract transfer agreement'' and ''amended storage contract'' mean the 2010 Agreement between the City, the Trust, and the OWRB, as amended, as provided by the Settlement Agreement and this section.

(8) ATOKA AND SARDIS CONSERVATION PROJECTS FUND.—The term ''Atoka and Sardis Conservation Projects Fund'' means the Atoka and Sardis Conservation Projects Fund established, funded, and managed in accordance with the Settlement Agreement.

(9) CITY.—The term ''City'' means the City of Oklahoma City, or the City and the Trust acting jointly, as applicable.

(10) CITY PERMIT.—The term ''City permit'' means any permit issued to the City by the OWRB pursuant to the amended permit application and consistent with the Settlement Agreement.

(11) CONSERVATION STORAGE CAPACITY.—The term ''conservation storage capacity'' means the total storage space as stated in the 1974 storage contract in Sardis Lake between elevations 599.0 feet above mean sea level and

542.0 feet above mean sea level, which is estimated to contain 297,200 acre-feet of water after adjustment for sediment deposits, and which may be used for municipal and industrial water supply, fish and wildlife, and recreation.

(12) ENFORCEABILITY DATE .—The term ''enforceability date'' means the date on which the Secretary of the Interior publishes in the Federal Register a notice certifying that the conditions of subsection (i) have been satisfied.

(13) FUTURE USE STORAGE.—The term ''future use storage'' means that portion of the conservation storage capacity that was designated by the 1974 Contract to be utilized for future water use storage and was estimated to contain 155,500 acre feet of water after adjustment for sediment deposits, or 52.322 percent of the conservation storage capacity.

(14) NATIONS.—The term ''Nations'' means, collectively, the Choctaw Nation of Oklahoma (''Choctaw Nation'') and the Chickasaw Nation.

(15) OWRB.—The term ''OWRB'' means the Oklahoma Water Resources Board.

(16) SARDIS LAKE.—The term ''Sardis Lake'' means the reservoir, formerly known as Clayton Lake, whose dam is located in Section 19, Township 2 North, Range 19 East of the Indian Meridian, Pushmataha County, Oklahoma, the construction, operation, and maintenance of which was authorized by section 203 of the Flood Control Act of 1962 (Public Law 87–874; 76 Stat. 1187).

(17) SETTLEMENT AGREEMENT.—The term ''Settlement Agreement'' means the settlement agreement as approved by the Nations, the State, the City, and the Trust effective August 22, 2016, as revised to conform with this section, as applicable.

(18) SETTLEMENT AREA.—The term ''settlement area'' means—

(A) the area lying between—

(i) the South Canadian River and Arkansas River to the north;

(ii) the Oklahoma–Texas State line to the south;

(iii) the Oklahoma–Arkansas State line to the east; and

(iv) the 98th Meridian to the west; and

(B) the area depicted in Exhibit 1 to the Settlement Agreement and generally including the following counties, or portions of, in the State:

(i) Atoka.
(ii) Bryan.
(iii) Carter.
(iv) Choctaw.
(v) Coal.
(vi) Garvin.
(vii) Grady.
(viii) McClain.
(ix) Murray.
(x) Haskell.
(xi) Hughes.
(xii) Jefferson.
(xiii) Johnston.
(xiv) Latimer.
(xv) LeFlore.
(xvi) Love.
(xvii) Marshall.
(xviii) McCurtain.
(xix) Pittsburgh.
(xx) Pontotoc.
(xxi) Pushmataha.
(xxii) Stephens.

(19) SETTLEMENT AREA WATERS.—The term ''settlement area waters'' means the waters located—

(A) within the settlement area; and

(B) within a basin depicted in Exhibit 10 to the Settlement Agreement, including any of the following basins as denominated in the 2012 Update of the Oklahoma Comprehensive Water Plan:

(i) Beaver Creek (24, 25, and 26).
(ii) Blue (11 and 12).
(iii) Clear Boggy (9).
(iv) Kiamichi (5 and 6).
(v) Lower Arkansas (46 and 47).
(vi) Lower Canadian (48, 56, 57, and 58).
(vii) Lower Little (2).
(viii) Lower Washita (14).
(ix) Mountain Fork (4).
(x) Middle Washita (15 and 16).
(xi) Mud Creek (23).
(xii) Muddy Boggy (7 and 8).
(xiii) Poteau (44 and 45).
(xiv) Red River Mainstem (1, 10, 13, and 21)
(xv) Upper Little (3).
(xvi) Walnut Bayou (22).

(20) STATE.—The term ''State'' means the State of Oklahoma.

(21) TRUST.—

(A) IN GENERAL.—The term ''Trust'' means the Oklahoma City Water Utilities Trust, formerly known as the Oklahoma City Municipal Improvement Authority, a public trust established pursuant to State law with the City as the beneficiary.

(B) REFERENCES.—A reference in this section to ''Trust'' shall refer to the Oklahoma City Water Utilities Trust, acting severally.

(c) APPROVAL OF THE SETTLEMENT AGREEMENT.—

(1) RATIFICATION.—

(A) IN GENERAL.—Except as modified by this section, and to the extent the Settlement Agreement does not conflict with this section, the Settlement Agreement is authorized, ratified, and confirmed.

(B) AMENDMENTS.—If an amendment is executed to make the Settlement Agreement consistent with this section, the amendment is also authorized, ratified and confirmed to the extent the amendment is consistent with this section.

(2) EXECUTION OF SETTLEMENT AGREEMENT.—

(A) IN GENERAL.—To the extent the Settlement Agreement does not conflict with this section, the Secretary of the Interior shall promptly execute the Settlement Agreement, including all exhibits to or parts of the Settlement Agreement requiring the signature of the Secretary of the Interior and any amendments necessary to make the Settlement Agreement consistent with this section.

(B) NOT A MAJOR FEDERAL ACTION.—Execution of the Settlement Agreement by the Secretary of the Interior under this subsection shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(d) APPROVAL OF THE AMENDED STORAGE CONTRACT AND 1974 STORAGE CONTRACT.—

(1) RATIFICATION.—

(A) IN GENERAL.—Except to the extent any provision of the amended storage contract conflicts with any provision of this section, the amended storage contract is authorized, ratified, and confirmed.

(B) 1974 STORAGE CONTRACT.—To the extent the amended storage contract, as authorized, ratified, and confirmed, modifies or amends the 1974 storage contract, the modification or amendment to the 1974 storage contract is authorized, ratified, and confirmed.

(C) AMENDMENTS.—To the extent an amendment is executed to make the amended storage contract consistent with this section, the amendment is authorized, ratified, and confirmed.

(2) APPROVAL BY THE SECRETARY.—After the State and the City execute the amended storage contract, the Secretary shall approve the amended storage contract.

(3) MODIFICATION OF SEPTEMBER 11, 2009, ORDER IN UNITED STATES V. OKLAHOMA WATER RESOURCES BOARD, CIV 98–00521 (N.D. OK).—The Secretary, through counsel, shall cooperate and work with the State to file any motion and proposed order to modify or amend the order of the United States District Court for the Northern District of Oklahoma dated September 11, 2009, necessary to conform the order to the amended storage contract transfer agreement, the Settlement Agreement, and this section.

(4) CONSERVATION STORAGE CAPACITY.—The allocation of the use of the conservation storage capacity in Sardis Lake for administrative set-aside subcontracts, City water supply, and fish and wildlife and recreation as provided by the amended storage contract is authorized, ratified and approved.

(5) ACTIVATION; WAIVER.—

(A) FINDINGS.—Congress finds that—

(i) the earliest possible activation of any increment of future use storage in Sardis Lake will not occur until after 2050; and

(ii) the obligation to make annual payments for the Sardis future use storage operation, maintenance and replacement costs, capital costs, or interest attributable to Sardis future use storage only arises if, and only to the extent, that an increment of Sardis future use storage is activated by withdrawal or release of water from the future use storage that is authorized by the user for a consumptive use of water.

(B) WAIVER OF OBLIGATIONS FOR STORAGE THAT IS NOT ACTIVATED.—Notwithstanding section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), section 203 of the Flood Control Act of 1962 (Public Law 87–874; 76 Stat. 1187), the 1974 storage contract, or any other provision of law, effective as of January 1, 2050—

(i) the entirety of any repayment obligations (including interest), relating to that portion of conservation storage capacity allocated by the 1974 storage contract to future use storage in Sardis Lake is waived and shall be considered nonreimbursable; and

(ii) any obligation of the State and, on execution and approval of the amended storage contract, of the City and the Trust, under the 1974 storage contract regarding capital costs and any operation, maintenance, and replacement costs and interest otherwise attributable to future use storage in Sardis Lake is waived and shall be nonreimbursable, if by January 1, 2050, the right to future use storage is not activated by the withdrawal or release of water from future use storage for an authorized consumptive use of water.

(6) CONSISTENT WITH AUTHORIZED PURPOSES; NO MAJOR OPERATIONAL CHANGE.—

(A) CONSISTENT WITH AUTHORIZED PURPOSE.—The amended storage contract, the approval of the Secretary of the amended storage contract, and the waiver of future use storage under paragraph (5)—

(i) are deemed consistent with the authorized purposes for Sardis Lake as described in section 203 of the Flood Control Act of 1962 (Public Law 87–874; 76 Stat. 1187) and do not affect the authorized purposes for which the project was authorized, surveyed, planned, and constructed; and

(ii) shall not constitute a reallocation of storage.

(B) NO MAJOR OPERATIONAL CHANGE.—The amended storage contract, the approval of the Secretary of the amended storage contract, and the waiver of future use storage under paragraph (5) shall not constitute a major operational change under section 301(e) of the Water Supply Act of 1958 (43 U.S.C. 390b(e)).

(7) NO FURTHER AUTHORIZATION REQUIRED.—This section shall be considered sufficient and complete authorization, without further study or analysis, for—

(A) the Secretary to approve the amended storage contract; and

(B) after approval under subparagraph (A), the Corps of Engineers to manage storage in Sardis Lake pursuant to and in accordance

with the 1974 storage contract, the amended storage contract, and the Settlement Agreement.

(e) SETTLEMENT AREA WATERS.—

(1) FINDINGS.—Congress finds that—

(A) pursuant to the Atoka Agreement as ratified by section 29 of the Act of June 28, 1898 (30 Stat. 505, chapter 517) (as modified by the Act of July 1, 1902 (32 Stat. 641, chapter 1362)), the Nations issued patents to their respective tribal members and citizens and thereby conveyed to individual Choctaws and Chickasaws, all right, title, and interest in and to land that was possessed by the Nations, other than certain mineral rights; and

(B) when title passed from the Nations to their respective tribal members and citizens, the Nations did not convey and those individuals did not receive any right of regulatory or sovereign authority, including with respect to water.

(2) PERMITTING, ALLOCATION, AND ADMINISTRATION OF SETTLEMENT AREA WATERS PURSUANT TO THE SETTLEMENT AGREEMENT.—Beginning on the enforceability date, settlement area waters shall be permitted, allocated, and administered by the OWRB in accordance with the Settlement Agreement and this section.

(3) CHOCTAW NATION AND CHICKASAW NATION.—Beginning on the enforceability date, the Nations shall have the right to use and to develop the right to use settlement area waters only in accordance with the Settlement Agreement and this section.

(4) WAIVER AND DELEGATION BY NATIONS.—In addition to the waivers under subsection (h), the Nations, on their own behalf, shall permanently delegate to the State any regulatory authority each Nation may possess over water rights on allotments, which the State shall exercise in accordance with the Settlement Agreement and this subsection.

(5) RIGHT TO USE WATER.—

(A) IN GENERAL.—An allottee may use water on an allotment in accordance with the Settlement Agreement and this subsection.

(B) SURFACE WATER USE.—

(i) IN GENERAL.—An allottee may divert and use, on the allotment of the allottee, 6 acre-feet per year of surface water per 160 acres, to be used solely for domestic uses on an allotment that constitutes riparian land under applicable State law as of the date of enactment of this Act.

(ii) EFFECT OF STATE LAW.—The use of surface water described in clause (i) shall be subject to all rights and protections of State law, as of the date of enactment of this Act, including all protections against loss for nonuse.

(iii) NO PERMIT REQUIRED.—An allottee may divert water under this subsection without a permit or any other authorization from the OWRB.

(C) GROUNDWATER USE.—

(i) IN GENERAL.—An allottee may drill wells on the allotment of the allottee to take and use for domestic uses the greater of—

(I) 5 acre-feet per year; or

(II) any greater quantity allowed under State law.

(ii) EFFECT OF STATE LAW.—The groundwater use described in clause (i) shall be subject to all rights and protections of State law, as of the date of enactment of this Act, including all protections against loss for nonuse.

(iii) NO PERMIT REQUIRED.—An allottee may drill wells and use water under this subsection without a permit or any other authorization from the OWRB.

(D) FUTURE CHANGES IN STATE LAW.—

(i) IN GENERAL.—If State law changes to limit use of water to a quantity that is less than the applicable quantity specified in subparagraph (B) or (C), as applicable, an allottee shall retain the right to use water in accord with those subparagraphs, subject to paragraphs (6)(B)(iv) and (7).

(ii) OPPORTUNITY TO BE HEARD.—Prior to taking any action to limit the use of water by an individual, the OWRB shall provide to the individual an opportunity to demonstrate that the individual is—

(I) an allottee; and

(II) using water on the allotment pursuant to and in accordance with the Settlement Agreement and this section.

(6) ALLOTTEE OPTIONS FOR ADDITIONAL WATER.—

(A) IN GENERAL.—To use a quantity of water in excess of the quantities provided under paragraph (5), an allottee shall—

(i) file an action under subparagraph (B); or

(ii) apply to the OWRB for a permit pursuant to, and in accordance with, State law.

(B) DETERMINATION IN FEDERAL DISTRICT COURT.—

(i) IN GENERAL.—In lieu of applying to the OWRB for a permit to use more water than is allowed under paragraph (5), an allottee may, after written notice to the OWRB, file an action in the United States District Court for the Western District of Oklahoma for determination of the right to water of the allottee.

(ii) JURISDICTION.—For purposes of this subsection—

(I) the United States District Court for the Western District of Oklahoma shall have jurisdiction; and

(II) the waivers of immunity under subparagraphs (A) and (B) of subsection (j)(2) shall apply.

(iii) REQUIREMENTS.—An allottee filing an action pursuant to this subparagraph shall—

(I) join the OWRB as a party; and

(II) publish notice in a newspaper of general circulation within the Settlement Area Hydrologic Basin for 2 consecutive weeks, with the first publication appearing not later than 30 days after the date on which the action is filed.

(iv) DETERMINATION FINAL.—

(I) IN GENERAL.—Subject to subclause (II), if an allottee elects to have the rights of the allottee determined pursuant to this subparagraph, the determination shall be final as to any rights under Federal law and in lieu of any rights to use water on an allotment as provided in paragraph (5).

(II) RESERVATION OF RIGHTS.—Subclause (I) shall not preclude an allottee from—

(aa) applying to the OWRB for water rights pursuant to State law; or

(bb) using any rights allowed by State law that do not require a permit from the OWRB.

(7) OWRB ADMINISTRATION AND ENFORCEMENT.—

(A) IN GENERAL.—If an allottee exercises any right under paragraph (5) or has rights determined under paragraph (6)(B), the OWRB shall have jurisdiction to administer those rights.

(B) CHALLENGES.—An allottee may challenge OWRB administration of rights determined under this paragraph, in the United States District Court for the Western District of Oklahoma.

(8) PRIOR EXISTING STATE LAW RIGHTS.—Water rights held by an allottee as of the enforceability date pursuant to a permit issued by the OWRB shall be governed by the terms of that permit and applicable State law (including regulations).

(f) CITY PERMIT FOR APPROPRIATION OF STREAM WATER FROM THE KIAMICHI RIVER.—The City permit shall be processed, evaluated, issued, and administered consistent with and in accordance with the Settlement Agreement and this section.

(g) SETTLEMENT COMMISSION.—

(1) ESTABLISHMENT.—There is established a Settlement Commission.

(2) MEMBERS.—

(A) IN GENERAL.—The Settlement Commission shall be comprised of 5 members, appointed as follows:

(i) 1 by the Governor of the State.

(ii) 1 by the Attorney General of the State.

(iii) 1 by the Chief of the Choctaw Nation.

(iv) 1 by the Governor of the Chickasaw Nation.

(v) 1 by agreement of the members described in clauses (i) through (iv).

(B) JOINTLY APPOINTED MEMBER.—If the members described in clauses (i) through (iv) of subparagraph (A) do not agree on a member appointed pursuant to subparagraph (A)(v)—

(i) the members shall submit to the Chief Judge for the United States District Court for the Eastern District of Oklahoma, a list of not less than 3 persons; and

(ii) from the list under clause (i), the Chief Judge shall make the appointment.

(C) INITIAL APPOINTMENTS.—The initial appointments to the Settlement Commission shall be made not later than 90 days after the enforceability date.

(3) MEMBER TERMS.—

(A) IN GENERAL.—Each Settlement Commission member shall serve at the pleasure of appointing authority.

(B) COMPENSATION.—A member of the Settlement Commission shall serve without compensation, but an appointing authority may reimburse the member appointed by the entity for costs associated with service on the Settlement Commission.

(C) VACANCIES.—If a member of the Settlement Commission is removed or resigns, the appointing authority shall appoint the replacement member.

(D) JOINTLY APPOINTED MEMBER.—The member of the Settlement Commission described in paragraph (2)(A)(v) may be removed or replaced by a majority vote of the Settlement Commission based on a failure of the member to carry out the duties of the member.

(4) DUTIES.—The duties and authority of the Settlement Commission shall be set forth in the Settlement Agreement, and the Settlement Commission shall not possess or exercise any duty or authority not stated in the Settlement Agreement.

(h) WAIVERS AND RELEASES OF CLAIMS.—

(1) CLAIMS BY THE NATIONS AND THE UNITED STATES AS TRUSTEE FOR THE NATIONS.—Subject to the retention of rights and claims provided in paragraph (3) and except to the extent that rights are recognized in the Settlement Agreement or this section, the Nations and the United States, acting as a trustee for the Nations, shall execute a waiver and release of—

(A) all of the following claims asserted or which could have been asserted in any proceeding filed or that could have been filed during the period ending on the enforceability date, including Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11–927 (W.D. Ok.), OWRB v. United States, et al. CIV 12–275 (W.D. Ok.), or any general stream adjudication, relating to—

(i) claims to the ownership of water in the State;

(ii) claims to water rights and rights to use water diverted or taken from a location within the State;

(iii) claims to authority over the allocation and management of water and administration of water rights, including authority over third-party ownership of or rights to use water diverted or taken from a location within the State and ownership or use of water on allotments by allottees or any other person using water on an allotment with the permission of an allottee;

(iv) claims that the State lacks authority over the allocation and management of water and administration of water rights, including authority over the ownership of or rights to use water diverted or taken from a location within the State;

(v) any other claim relating to the ownership of water, regulation of water, or authorized diversion, storage, or use of water diverted or taken from a location within the State, which claim is based on the status of the Chickasaw Nation or the Choctaw Nation as a federally recognized Indian tribe; and

(vi) claims or defenses asserted or which could have been asserted in Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11–927 (W.D. Ok.), OWRB v. United States, et al. CIV 12–275 (W.D. Ok.), or any general stream adjudication;

(B) all claims for damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to any action by the State, the OWRB, or any water user authorized pursuant to State law to take or use water in the State, including the City, that accrued during the period ending on the enforceability date;

(C) all claims and objections relating to the amended permit application, and the City permit, including—

(i) all claims regarding regulatory control over or OWRB jurisdiction relating to the permit application and permit; and

(ii) all claims for damages, losses or injuries to water rights or rights to use water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the issuance and lawful exercise of the City permit;

(D) all claims to regulatory control over the Permit Numbers P80–48 and 54–613 of the City for water rights from the Muddy Boggy River for Atoka Reservoir and P73–282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(E) all claims that the State lacks regulatory authority over or OWRB jurisdiction relating to Permit Numbers P80–48 and 54–613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73–282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(F) all claims to damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from such damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the lawful exercise of Permit Numbers P80–48 and 54–613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73–282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir, that accrued during the period ending on the enforceability date;

(G) all claims and objections relating to the approval by the Secretary of the assignment of the 1974 storage contract pursuant to the amended storage contract; and

(H) all claims for damages, losses, or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from such damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the lawful exercise of rights pursuant to the amended storage contract.

(2) WAIVERS AND RELEASES OF CLAIMS BY THE NATIONS AGAINST THE UNITED STATES.—Subject to the retention of rights and claims provided in paragraph (3) and except to the extent that rights are recognized in the Settlement Agreement or this section, the Nations are authorized to execute a waiver and release of all claims against the United States (including any agency or employee of the United States) relating to—

(A) all of the following claims asserted or which could have been asserted in any proceeding filed or that could have been filed by the United States as a trustee during the period ending on the enforceability date, including Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11-9272 (W.D. Ok.) or OWRB v. United States, et al. CIV 12-275 (W.D. Ok.), or any general stream adjudication, relating to—

(i) claims to the ownership of water in the State;

(ii) claims to water rights and rights to use water diverted or taken from a location within the State;

(iii) claims to authority over the allocation and management of water and administration of water rights, including authority over third-party ownership of or rights to use water diverted or taken from a location within the State and ownership or use of water on allotments by allottees or any other person using water on an allotment with the permission of an allottee;

(iv) claims that the State lacks authority over the allocation and management of water and administration of water rights, including authority over the ownership of or rights to use water diverted or taken from a location within the State;

(v) any other claim relating to the ownership of water, regulation of water, or authorized diversion, storage, or use of water diverted or taken from a location within the State, which claim is based on the status of the Chickasaw Nation or the Choctaw Nation as a federally recognized Indian tribe; and

(vi) claims or defenses asserted or which could have been asserted in Chickasaw Nation, Choctaw Nation v. Fallin et al., CIV 11-927 (W.D. Ok.), OWRB v. United States, et al. CIV 12-275 (W.D. Ok.), or any general stream adjudication;

(B) all claims for damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to any action by the State, the OWRB, or any water user authorized pursuant to State law to take or use water in the State, including the City, that accrued during the period ending on the enforceability date;

(C) all claims and objections relating to the amended permit application, and the City permit, including—

(i) all claims regarding regulatory control over or OWRB jurisdiction relating to the permit application and permit; and

(ii) all claims for damages, losses or injuries to water rights or rights to use water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the issuance and lawful exercise of the City permit;

(D) all claims to regulatory control over the Permit Numbers P80–48 and 54–613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73–282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(E) all claims that the State lacks regulatory authority over or OWRB jurisdiction relating to Permit Numbers P80–48 and 54–613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73–282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir;

(F) all claims to damages, losses or injuries to water rights or water, or claims of interference with, diversion, storage, taking, or use of water (including claims for injury to land resulting from the damages, losses, injuries, interference with, diversion, storage, taking, or use of water) attributable to the lawful exercise of Permit Numbers P80–48 and 54–613 for water rights from the Muddy Boggy River for Atoka Reservoir and P73–282D for water rights from the Muddy Boggy River, including McGee Creek, for the McGee Creek Reservoir, that accrued during the period ending on the enforceability date;

(G) all claims and objections relating to the approval by the Secretary of the assignment of the 1974 storage contract pursuant to the amended storage contract;

(H) all claims relating to litigation brought by the United States prior to the enforceability date of the water rights of the Nations in the State; and

(I) all claims relating to the negotiation, execution, or adoption of the Settlement Agreement (including exhibits) or this section.

(3) RETENTION AND RESERVATION OF CLAIMS BY NATIONS AND THE UNITED STATES.—

(A) IN GENERAL.—Notwithstanding the waiver and releases of claims authorized under paragraphs (1) and (2), the Nations and the United States, acting as trustee, shall retain—

(i) all claims for enforcement of the Settlement Agreement and this section;

(ii) all rights to use and protect any water right of the Nations recognized by or established pursuant to the Settlement Agreement, including the right to assert claims for injuries relating to the rights and the right to participate in any general stream adjudication, including any inter se proceeding;

(iii) all claims relating to activities affecting the quality of water that are not waived under paragraph (1)(A)(v) or paragraph (2)(A)(v), including any claims the Nations may have under—

(I) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including for damages to natural resources;

(II) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(III) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(IV) any regulations implementing the Acts described in items (aa) through (cc);

(iv) all claims relating to damage, loss, or injury resulting from an unauthorized diversion, use, or storage of water, including damages, losses, or injuries to land or nonwater natural resources associated with any hunting, fishing, gathering, or cultural right; and

(v) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this section or the Settlement Agreement.

(B) AGREEMENT.—

(i) IN GENERAL.—As provided in the Settlement Agreement, the Chickasaw Nation shall convey an easement to the City, which easement shall be as described and depicted in Exhibit 15 to the Settlement Agreement.

(ii) APPLICATION.—The Chickasaw Nation and the City shall cooperate and coordinate on the submission of an application for approval by the Secretary of the Interior of the conveyance under clause (i), in accordance with applicable Federal law.

(iii) RECORDING.—On approval by the Secretary of the Interior of the conveyance of the easement under this clause, the City shall record the easement.

(iv) CONSIDERATION.—In exchange for conveyance of the easement under clause (i), the City shall pay to the Chickasaw Nation the value of past unauthorized use and consideration for future use of the land burdened by the easement, based on an appraisal secured by the City and Nations and approved by the Secretary of the Interior.

(4) EFFECTIVE DATE OF WAIVER AND RELEASES.—The waivers and releases under this subsection take effect on the enforceability date.

(5) TOLLING OF CLAIMS.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this subsection shall be tolled during the period beginning on the date of enactment of this Act and ending on the earlier of the enforceability date or the expiration date under subsection (i)(2).

(i) ENFORCEABILITY DATE.—

(1) IN GENERAL.—The Settlement Agreement shall take effect and be enforceable on the date on which the Secretary of the Interior publishes in the Federal Register a certification that—

(A) to the extent the Settlement Agreement conflicts with this section, the Settlement Agreement has been amended to conform with this section;

(B) the Settlement Agreement, as amended, has been executed by the Secretary of the Interior, the Nations, the Governor of the State, the OWRB, the City, and the Trust;

(C) to the extent the amended storage contract conflicts with this section, the amended storage contract has been amended to conform with this section;

(D) the amended storage contract, as amended to conform with this section, has been—

(i) executed by the State, the City, and the Trust; and

(ii) approved by the Secretary;

(E) an order has been entered in United States v. Oklahoma Water Resources Board, Civ. 98–C–521–E with any modifications to the order dated September 11, 2009, as provided in the Settlement Agreement;

(F) orders of dismissal have been entered in Chickasaw Nation, Choctaw Nation v. Fallin et al., Civ 11–297 (W.D. Ok.) and OWRB v. United States, et al. Civ 12–275 (W.D. Ok.) as provided in the Settlement Agreement;

(G) the OWRB has issued the City Permit;

(H) the final documentation of the Kiamichi Basin hydrologic model is on file at the Oklahoma City offices of the OWRB; and

(I) the Atoka and Sardis Conservation Projects Fund has been funded as provided in the Settlement Agreement.

(2) EXPIRATION DATE.—If the Secretary of the Interior fails to publish a statement of findings under paragraph (1) by not later than September 30, 2020, or such alternative later date as is agreed to by the Secretary of the Interior, the Nations, the State, the City, and the Trust under paragraph (4), the following shall apply:

(A) This section, except for this subsection and any provisions of this section that are necessary to carry out this subsection (but only for purposes of carrying out this subsection) are not effective beginning on September 30, 2020, or the alternative date.

(B) The waivers and release of claims, and the limited waivers of sovereign immunity, shall not become effective.

(C) The Settlement Agreement shall be null and void, except for this paragraph and any provisions of the Settlement Agreement that are necessary to carry out this paragraph.

(D) Except with respect to this paragraph, the State, the Nations, the City, the Trust, and the United States shall not be bound by any obligations or benefit from any rights recognized under the Settlement Agreement.

(E) If the City permit has been issued, the permit shall be null and void, except that the City may resubmit to the OWRB, and the OWRB shall be considered to have accepted, OWRB permit application No. 2007–017 without having waived the original application priority date and appropriative quantities.

(F) If the amended storage contract has been executed or approved, the contract shall be null and void, and the 2010 agreement shall be considered to be in force and effect as between the State and the Trust.

(G) If the Atoka and Sardis Conservation Projects Fund has been established and funded, the funds shall be returned to the respective funding parties with any accrued interest.

(3) NO PREJUDICE.—The occurrence of the expiration date under paragraph (2) shall not in any way prejudice—

(A) any argument or suit that the Nations may bring to contest—

(i) the pursuit by the City of OWRB permit application No. 2007–017, or a modified version; or

(ii) the 2010 agreement;

(B) any argument, defense, or suit the State may bring or assert with regard to the claims of the Nations to water or over water in the settlement area; or

(C) any argument, defense or suit the City may bring or assert—

(i) with regard to the claims of the Nations to water or over water in the settlement area relating to OWRB permit application No. 2007–017, or a modified version; or

(ii) to contest the 2010 agreement.

(4) EXTENSION.—The expiration date under paragraph (2) may be extended in writing if the Nations, the State, the OWRB, the United States, and the City agree that an extension is warranted.

(j) JURISDICTION, WAIVERS OF IMMUNITY FOR INTERPRETATION AND ENFORCEMENT.—

(1) JURISDICTION.—

(A) IN GENERAL.—

(i) EXCLUSIVE JURISDICTION.—The United States District Court for the Western District of Oklahoma shall have exclusive jurisdiction for all purposes and for all causes of action relating to the interpretation and enforcement of the Settlement Agreement, the amended storage contract, or interpretation or enforcement of this section, including all actions filed by an allottee pursuant to subsection (e)(4)(B).

(ii) RIGHT TO BRING ACTION.—The Choctaw Nation, the Chickasaw Nation, the State, the City, the Trust, and the United States shall each have the right to bring an action pursuant to this section.

(iii) NO ACTION IN OTHER COURTS.—No action may be brought in any other Federal, Tribal, or State court or administrative forum for any purpose relating to the Settlement Agreement, amended storage contract, or this section.

(iv) NO MONETARY JUDGMENT.—Nothing in this section authorizes any money judgment or otherwise allows the payment of funds by the United States, the Nations, the State (including the OWRB), the City, or the Trust.

(B) NOTICE AND CONFERENCE.—An entity seeking to interpret or enforce the Settlement Agreement shall comply with the following:

(i) Any party asserting noncompliance or seeking interpretation of the Settlement Agreement or this section shall first serve written notice on the party alleged to be in breach of the Settlement Agreement or violation of this section.

(ii) The notice under clause (i) shall identify the specific provision of the Settlement Agreement or this section alleged to have been violated or in dispute and shall specify in detail the contention of the party asserting the claim and any factual basis for the claim.

(iii) Representatives of the party alleging a breach or violation and the party alleged to be in breach or violation shall meet not later than 30 days after receipt of notice under clause (i) in an effort to resolve the dispute.

(iv) If the matter is not resolved to the satisfaction of the party alleging breach not later than 90 days after the original notice under clause (i), the party may take any appropriate enforcement action consistent with the Settlement Agreement and this subsection.

(2) LIMITED WAIVERS OF SOVEREIGN IMMUNITY.—

(A) IN GENERAL.—The United States and the Nations may be joined in an action filed in the United States District Court for the Western District of Oklahoma.

(B) UNITED STATES IMMUNITY.—Any claim by the United States to sovereign immunity from suit is irrevocably waived for any action brought by the State, the Chickasaw Nation, the Choctaw Nation, the City, the Trust, or (solely for purposes of actions brought pursuant to subsection (e)) an allottee in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, including of the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(C) CHICKASAW NATION IMMUNITY.—For the exclusive benefit of the State (including the OWRB), the City, the Trust, the Choctaw Nation, and the United States, the sovereign immunity of the Chickasaw Nation from suit is waived solely for any action brought in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, if the action is brought by the State or the OWRB, the City, the Trust, the Choctaw Nation, or the United States, including the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(D) CHOCTAW NATION IMMUNITY.—For the exclusive benefit of the State (including of the OWRB), the City, the Trust, the Chickasaw Nation, and the United States, the Choctaw Nation shall expressly and irrevocably consent to a suit and waive sovereign immunity from a suit solely for any action brought in the Western District of Oklahoma relating to interpretation or enforcement of the Settlement Agreement or this section, if the action is brought by the State, the OWRB, the City, the Trust, the Chickasaw Nation, or the United States, including the appellate jurisdiction of the United States Court of Appeals for the Tenth Circuit and the Supreme Court of the United States.

(k) DISCLAIMER.—

(1) IN GENERAL.—The Settlement Agreement applies only to the claims and rights of the Nations.

(2) NO PRECEDENT.—Nothing in this section or the Settlement Agreement shall be construed in any way to quantify, establish, or serve as precedent regarding the land and water rights, claims, or entitlements to water of any American Indian Tribe other than the Nations, including any other American Indian Tribe in the State.

SEC. 8003. LAND TRANSFER AND TRUST LAND FOR THE MUSCOGEE (CREEK) NATION.

(a) TRANSFER.—

(1) IN GENERAL.—Subject to paragraph (2) and for the consideration described in subsection (c), the Secretary shall transfer to the Secretary of the Interior the land described in subsection (b) to be held in trust for the benefit of the Muscogee (Creek) Nation.

(2) CONDITIONS.—The land transfer under this subsection shall be subject to the following conditions:

(A) The transfer—

(i) shall not interfere with the Corps of Engineers operation of the Eufaula Lake Project or any other authorized civil works projects; and

(ii) shall be subject to such other terms and conditions as the Secretary determines to be necessary and appropriate to ensure the continued operation of the Eufaula Lake Project or any other authorized civil works project.

(B) The Secretary shall retain the right to inundate with water the land transferred to the Secretary of the Interior under this subsection, as necessary to carry out an authorized purpose of the Eufaula Lake Project or any other civil works project.

(C) No gaming activities may be conducted on the land transferred under this subsection.

(b) LAND DESCRIPTION.—

(1) IN GENERAL.—The land to be transferred pursuant to subsection (a) is the approximately 18.38 acres of land located in the Northwest Quarter (NW 1/4) of sec. 3, T. 10 N., R. 16 E., McIntosh County, Oklahoma, generally depicted as ''USACE'' on the map entitled ''Muscogee (Creek) Nation Proposed Land Acquisition'' and dated October 16, 2014.

(2) SURVEY.—The exact acreage and legal description of the land to be transferred under subsection (a) shall be determined by a survey satisfactory to the Secretary and the Secretary of the Interior.

(c) CONSIDERATION.—The Muscogee (Creek) Nation shall pay—

(1) to the Secretary an amount that is equal to the fair market value of the land transferred under subsection (a), as determined by the Secretary, which funds may be accepted and expended by the Secretary; and

(2) all costs and administrative expenses associated with the transfer of land under subsection (a), including the costs of —

(A) the survey under subsection (b)(2);

(B) compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) any coordination necessary with respect to requirements related to endangered species, cultural resources, clean water, and clean air.

SEC. 8004. REAUTHORIZATION OF DENALI COMMISSION.

(a) ADMINISTRATION.—Section 303 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105–277) is amended—

(1) in subsection (c)—

(A) in the first sentence, by striking ''The Federal Cochairperson'' and inserting the following:

''(1) TERM OF FEDERAL COCHAIRPERSON.—The Federal Cochairperson'';

(B) in the second sentence, by striking ''All other members'' and inserting the following:

''(3) TERM OF ALL OTHER MEMBERS.—All other members'';

(C) in the third sentence, by striking ''Any vacancy'' and inserting the following:

''(4) VACANCIES.—Except as provided in paragraph (2), any vacancy''; and

(D) by inserting before paragraph (3) (as designated by subparagraph (B)) the following:

''(2) INTERIM FEDERAL COCHAIRPERSON.—In the event of a vacancy for any reason in the position of Federal Cochairperson, the Secretary may appoint an Interim Federal Cochairperson, who shall have all the authority of the Federal Cochairperson, to serve until such time as the vacancy in the position of Federal Cochairperson is filled in accordance with subsection (b)(2)).''; and

(2) by adding at the end the following:

''(f) NO FEDERAL EMPLOYEE STATUS.—No member of the Commission, other than the Federal Cochairperson, shall be considered to be a Federal employee for any purpose.

''(g) CONFLICTS OF INTEREST.—

''(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), no member of the Commission (referred to in this subsection as a 'member') shall participate personally or substantially, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract claim, controversy, or other matter in which, to the knowledge of the member, 1 or more of the following has a direct financial interest:

''(A) The member.

''(B) The spouse, minor child, or partner of the member.

''(C) An organization described in subparagraph (B), (C), (D), (E), or (F) of subsection (b)(1) for which the member is serving as officer, director, trustee, partner, or employee.

''(D) Any individual, person, or organization with which the member is negotiating or has any arrangement concerning prospective employment.

''(2) DISCLOSURE.—Paragraph (1) shall not apply if the member—

''(A) immediately advises the designated agency ethics official for the Commission of the nature and circumstances of the matter presenting a potential conflict of interest;

''(B) makes full disclosure of the financial interest; and

''(C) before the proceeding concerning the matter presenting the conflict of interest, receives a written determination by the designated agency ethics official for the Commission that the interest is not so substantial as to be likely to affect the integrity of the services that the Commission may expect from the member.

''(3) ANNUAL DISCLOSURES.—Once per calendar year, each member shall make full disclosure of financial interests, in a manner to be determined by the designated agency ethics official for the Commission.

''(4) TRAINING.—Once per calendar year, each member shall undergo disclosure of financial interests training, as prescribed by the designated agency ethics official for the Commission.

''(5) VIOLATION.—Any person that violates this subsection shall be fined not more than $10,000, imprisoned for not more than 2 years, or both.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 310 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105–277) (as redesignated by section 1960(1) of SAFETEA–LU (Public Law 109–59; 119 Stat. 1516)) is amended, in subsection (a), by striking ''under section 4 under this Act'' and all that follows through ''2008'' and inserting ''under section 304, $20,000,000 for fiscal year 2017, and such sums as are necessary for each of fiscal years 2018 through 2021.''.

(2) CLERICAL AMENDMENT.—Section 310 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105–277) (as redesignated by section 1960(1) of SAFETEA–LU (Public Law 109–59; 119 Stat. 1516)) is redesignated as section 312.

SEC. 8005. RECREATIONAL ACCESS OF FLOATING CABINS.

The Tennessee Valley Authority Act of 1933 is amended by inserting after section 9a (16 U.S.C. 831h–1) the following:

''SEC. 9b. RECREATIONAL ACCESS.

''(a) DEFINITION OF FLOATING CABIN.—In this section, the term 'floating cabin' means a watercraft or other floating structure—

''(1) primarily designed and used for human habitation or occupation; and

''(2) not primarily designed or used for navigation or transportation on water.

''(b) RECREATIONAL ACCESS.—The Board may allow the use of a floating cabin if—

''(1) the floating cabin is maintained by the owner to reasonable health, safety, and environmental standards, as required by the Board;

''(2) the Corporation has authorized the use of recreational vessels on the waters; and

''(3) the floating cabin was located on waters under the jurisdiction of the Corporation as of the date of enactment of this section.

''(c) FEES.—The Board may assess fees on the owner of a floating cabin on waters under the jurisdiction of the Corporation for the purpose of ensuring compliance with subsection (b) if the fees are necessary and reasonable for those purposes.

''(d) CONTINUED RECREATIONAL USE.—

''(1) IN GENERAL.—With respect to a floating cabin located on waters under the jurisdiction of the Corporation on the date of enactment of this section, the Board—

''(A) may not require the removal of the floating cabin—

''(i) in the case of a floating cabin that was granted a permit by the Corporation before the date of enactment of this section, for a period of 15 years beginning on that date of enactment; and

''(ii) in the case of a floating cabin not granted a permit by the Corporation before the date of enactment of this section, for a period of 5 years beginning on that date of enactment; and

''(B) shall approve and allow the use of the floating cabin on waters under the jurisdiction of the Corporation at such time and for such duration as—

''(i) the floating cabin meets the requirements of subsection (b); and

''(ii) the owner of the floating cabin has paid any fee assessed pursuant to subsection (c).

''(2) SAVINGS PROVISIONS.—

''(A) Nothing in this subsection restricts the ability of the Corporation to enforce health, safety, or environmental standards.

''(B) This section applies only to floating cabins located on waters under the jurisdiction of the Corporation.

''(e) NEW CONSTRUCTION.—The Corporation may establish regulations to prevent the construction of new floating cabins.''.

SEC. 8006. REGULATION OF ABOVEGROUND STORAGE AT FARMS.

Section 1049(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 1361 note; Public Law 113–121) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(2) by striking the subsection designation and heading and all that follows through ''subsection (b),'' and inserting the following:

''(c) REGULATION OF ABOVEGROUND STORAGE AT FARMS.—

''(1) CALCULATION OF AGGREGATE ABOVEGROUND STORAGE CAPACITY.—For purposes of subsection (b),''; and

(3) by adding at the end the following:

''(2) CERTAIN FARM CONTAINERS.—Part 112 of title 40, Code of Federal Regulations (or successor regulations), shall not apply to the following containers located at a farm:

''(A) Containers on a separate parcel that have—

''(i) an individual capacity of not greater than 1,000 gallons; and

''(ii) an aggregate capacity of not greater than 2,000 gallons.

''(B) A container holding animal feed ingredients approved for use in livestock feed by the Commissioner of Food and Drugs.''.

SEC. 8007. SALT CEDAR REMOVAL PERMIT REVIEWS.

(a) IN GENERAL.—In the case of an application for a permit for the mechanized removal of salt cedar from an area that consists of not more than 500 acres—

(1) any review by the Secretary under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) or section 10 of the Act of March 3, 1899 (commonly known as the ''Rivers and Harbors Appropriation Act of 1899'') (33 U.S.C. 403), and any review by the Director of the United States Fish and Wildlife Service (referred to in this section as the ''Director'') under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536), shall, to the maximum extent practicable, occur concurrently;

(2) all participating and cooperating agencies shall, to the maximum extent practicable, adopt and use any environmental document prepared by the lead agency under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to the same extent that a Federal agency could adopt or use a document prepared by another Federal agency under—

(A) that Act; and

(B) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations); and

(3) the review of the application shall, to the maximum extent practicable, be completed not later than the date on which the Secretary, in consultation with, and with the concurrence of, the Director, establishes.

(b) CONTRIBUTED FUNDS.—The Secretary may accept and expend funds received from non-Federal public or private entities to conduct a review referred to in subsection (a).

(c) LIMITATIONS.—Nothing in this section preempts or interferes with—

(1) any obligation to comply with the provisions of any Federal law, including—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) any other Federal environmental law;

(2) the reviewability of any final Federal agency action in a court of the United States or in the court of any State;

(3) any requirement for seeking, considering, or responding to public comment; or

(4) any power, jurisdiction, responsibility, duty, or authority that a Federal, State, or local governmental agency, Indian tribe, or project sponsor has with respect to carrying out a project or any other provision of law applicable to projects.

SEC. 8008. INTERNATIONAL OUTFALL INTERCEPTOR REPAIR, OPERATIONS, AND MAINTENANCE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, pursuant to the Act of July 27, 1953 (22 U.S.C. 277d–10 et seq.), and notwithstanding the memorandum of agreement between the United States Section of the International Boundary and Water Commission and the City of Nogales, Arizona, dated January 20, 2006 (referred to in this section as the ''Agreement''), an equitable proportion of the costs of operation and maintenance of the Nogales sanitation project to be contributed by the City of Nogales, Arizona (referred to in this section as the ''City''), should be based on the average daily volume of wastewater originating from the City.

(b) CAPITAL COSTS EXCLUDED.—Pursuant to the Agreement and the Act of July 27, 1953 (22 U.S.C. 277d–10 et seq.), the City shall have no obligation to contribute to any capital costs of repairing or upgrading the Nogales sanitation project.

(c) OVERCHARGES.—Notwithstanding the Agreement and subject to subsection (d), the United States Section of the International Boundary and Water Commission shall reimburse the City for, and shall not charge the City after the date of enactment of this Act for, operations and maintenance costs in excess of an equitable proportion of the costs, as described in subsection (a).

(d) LIMITATION.—Costs reimbursed or a reduction in costs charged under subsection (c) shall not exceed $4,000,000.

SEC. 8009. PECHANGA BAND OF LUISEÑO MISSION INDIANS WATER RIGHTS SETTLEMENT.

(a) PURPOSES.—The purposes of this section are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights and certain claims for injuries to water rights in the Santa Margarita River Watershed for—

(A) the Band; and

(B) the United States, acting in its capacity as trustee for the Band and Allottees;

(2) to achieve a fair, equitable, and final settlement of certain claims by the Band and Allottees against the United States;

(3) to authorize, ratify, and confirm the Pechanga Settlement Agreement to be entered into by the Band, RCWD, and the United States;

(4) to authorize and direct the Secretary—

(A) to execute the Pechanga Settlement Agreement; and

(B) to take any other action necessary to carry out the Pechanga Settlement Agreement in accordance with this section; and

(5) to authorize the appropriation of amounts necessary for the implementation of the Pechanga Settlement Agreement and this section.

(b) DEFINITIONS.—In this section:

(1) ADJUDICATION COURT.—The term ''Adjudication Court'' means the United States District Court for the Southern District of California, which exercises continuing jurisdiction over the Adjudication Proceeding.

(2) ADJUDICATION PROCEEDING.—The term ''Adjudication Proceeding'' means litigation initiated by the United States regarding relative water rights in the Santa Margarita River Watershed in United States v. Fallbrook Public Utility District et al., Civ. No. 3:51–cv–01247 (S.D.C.A.), including any litigation initiated to interpret or enforce the relative water rights in the Santa Margarita River Watershed pursuant to the continuing jurisdiction of the Adjudication Court over the Fallbrook Decree.

(3) ALLOTTEE.—The term ''Allottee'' means an individual who holds a beneficial real property interest in an Indian allotment that is—

(A) located within the Reservation; and

(B) held in trust by the United States.

(4) BAND.—The term ''Band'' means Pechanga Band of Luiseño Mission Indians, a federally recognized sovereign Indian tribe that functions as a custom and tradition Indian tribe, acting on behalf of itself and its members, but not acting on behalf of members in their capacities as Allottees.

(5) CLAIMS.—The term ''claims'' means rights, claims, demands, actions, compensation, or causes of action, whether known or unknown.

(6) EMWD.—The term ''EMWD'' means Eastern Municipal Water District, a municipal water district organized and existing in accordance with the Municipal Water District Law of 1911, Division 20 of the Water Code of the State of California, as amended.

(7) EMWD CONNECTION FEE.—The term ''EMWD Connection Fee'' has the meaning set forth in the Extension of Service Area Agreement.

(8) ENFORCEABILITY DATE.—The term ''enforceability date'' means the date on which the Secretary publishes in the Federal Register the statement of findings described in subsection (f)(5).

(9) ESAA CAPACITY AGREEMENT.—The term ''ESAA Capacity Agreement'' means the ''Agreement to Provide Capacity for Delivery of ESAA Water'', among the Band, RCWD and the United States.

(10) ESAA WATER.—The term ''ESAA Water'' means imported potable water that the Band receives from EMWD and MWD pursuant to the Extension of Service Area Agreement and delivered by RCWD pursuant to the ESAA Water Delivery Agreement.

(11) ESAA WATER DELIVERY AGREEMENT.—The term ''ESAA Water Delivery Agreement'' means the agreement among EMWD, RCWD, and the Band, establishing the terms and conditions of water service to the Band.

(12) EXTENSION OF SERVICE AREA AGREEMENT.—The term ''Extension of Service Area Agreement'' means the ''Agreement for Extension of Existing Service Area'', among the Band, EMWD, and MWD, for the provision of water service by EMWD to a designated portion of the Reservation using water supplied by MWD.

(13) FALLBROOK DECREE.—

(A) IN GENERAL.—The term ''Fallbrook Decree'' means the ''Modified Final Judgment And Decree'', entered in the Adjudication Proceeding on April 6, 1966.

(B) INCLUSIONS.—The term ''Fallbrook Decree'' includes all court orders, interlocutory judgments, and decisions supplemental to the ''Modified Final Judgment And Decree'', including Interlocutory Judgment No. 30, Interlocutory Judgment No. 35, and Interlocutory Judgment No. 41.

(14) FUND.—The term ''Fund'' means the Pechanga Settlement Fund established by subsection (h).

(15) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(16) INJURY TO WATER RIGHTS.—The term ''injury to water rights'' means an interference with, diminution of, or deprivation of water rights under Federal or State law.

(17) INTERIM CAPACITY.—The term ''Interim Capacity'' has the meaning set forth in the ESAA Capacity Agreement.

(18) INTERIM CAPACITY NOTICE.—The term ''Interim Capacity Notice'' has the meaning set forth in the ESAA Capacity Agreement.

(19) INTERLOCUTORY JUDGMENT NO. 41.—The term ''Interlocutory Judgment No. 41'' means Interlocutory Judgment No. 41 issued in the Adjudication Proceeding on November 8, 1962, including all court orders, judgments and decisions supplemental to that interlocutory judgment.

(20) MWD.—The term ''MWD'' means the Metropolitan Water District of Southern California, a metropolitan water district organized and incorporated under the Metropolitan Water District Act of the State of California (Stats. 1969, Chapter 209, as amended).

(21) MWD CONNECTION FEE.—The term ''MWD Connection Fee'' has the meaning set forth in the Extension of Service Area Agreement.

(22) PECHANGA ESAA DELIVERY CAPACITY ACCOUNT.—The term ''Pechanga ESAA Delivery Capacity account'' means the account established by subsection (h)(3)(B).

(23) PECHANGA RECYCLED WATER INFRASTRUCTURE ACCOUNT.—The term ''Pechanga Recycled Water Infrastructure account'' means the account established by subsection (h)(3)(A).

(24) PECHANGA SETTLEMENT AGREEMENT.—The term ''Pechanga Settlement Agreement'' means the Pechanga Settlement Agreement, dated June 17, 2014, together with the exhibits to that agreement, entered

into by the Band, the United States on behalf of the Band, its members and Allottees, MWD, EMWD, and RCWD, including—

(A) the Extension of Service Area Agreement;

(B) the ESAA Capacity Agreement; and

(C) the ESAA Water Delivery Agreement.

(25) PECHANGA WATER CODE.—The term ''Pechanga Water Code'' means a water code to be adopted by the Band in accordance with subsection (d)(6).

(26) PECHANGA WATER FUND ACCOUNT.—The term ''Pechanga Water Fund account'' means the account established by subsection (h)(3)(C).

(27) PECHANGA WATER QUALITY ACCOUNT.—The term ''Pechanga Water Quality account'' means the account established by subsection (h)(3)(D).

(28) PERMANENT CAPACITY.—The term ''Permanent Capacity'' has the meaning set forth in the ESAA Capacity Agreement.

(29) PERMANENT CAPACITY NOTICE.—The term ''Permanent Capacity Notice'' has the meaning set forth in the ESAA Capacity Agreement.

(30) RCWD.—

(A) IN GENERAL.—The term ''RCWD'' means the Rancho California Water District organized pursuant to section 34000 et seq. of the California Water Code.

(B) INCLUSIONS.—The term ''RCWD'' includes all real property owners for whom RCWD acts as an agent pursuant to an agency agreement.

(31) RECYCLED WATER INFRASTRUCTURE AGREEMENT.—The term ''Recycled Water Infrastructure Agreement'' means the ''Agreement for Recycled Water Infrastructure'' among the Band, RCWD, and the United States.

(32) RECYCLED WATER TRANSFER AGREEMENT.—The term ''Recycled Water Transfer Agreement'' means the ''Recycled Water Transfer Agreement'' between the Band and RCWD.

(33) RESERVATION.—

(A) IN GENERAL.—The term ''Reservation'' means the land depicted on the map attached to the Pechanga Settlement Agreement as Exhibit I.

(B) APPLICABILITY OF TERM.—The term ''Reservation'' shall be used solely for the purposes of the Pechanga Settlement Agreement, this section, and any judgment or decree issued by the Adjudication Court approving the Pechanga Settlement Agreement.

(34) SANTA MARGARITA RIVER WATERSHED.—The term ''Santa Margarita River Watershed'' means the watershed that is the subject of the Adjudication Proceeding and the Fallbrook Decree.

(35) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(36) STATE.—The term ''State'' means the State of California.

(37) STORAGE POND.—The term ''Storage Pond'' has the meaning set forth in the Recycled Water Infrastructure Agreement.

(38) TRIBAL WATER RIGHT.—The term ''Tribal Water Right'' means the water rights ratified, confirmed, and declared to be valid for the benefit of the Band and Allottees, as set forth and described in subsection (d).

(c) APPROVAL OF THE PECHANGA SETTLEMENT AGREEMENT.—

(1) RATIFICATION OF PECHANGA SETTLEMENT AGREEMENT.—

(A) IN GENERAL.—Except as modified by this section, and to the extent that the Pechanga Settlement Agreement does not conflict with this section, the Pechanga Settlement Agreement is authorized, ratified, and confirmed.

(B) AMENDMENTS.—Any amendment to the Pechanga Settlement Agreement is authorized, ratified, and confirmed, to the extent that the amendment is executed to make the Pechanga Settlement Agreement consistent with this section.

(2) EXECUTION OF PECHANGA SETTLEMENT AGREEMENT.—

(A) IN GENERAL.—To the extent that the Pechanga Settlement Agreement does not conflict with this section, the Secretary is directed to and promptly shall execute—

(i) the Pechanga Settlement Agreement (including any exhibit to the Pechanga Settlement Agreement requiring the signature of the Secretary); and

(ii) any amendment to the Pechanga Settlement Agreement necessary to make the Pechanga Settlement Agreement consistent with this section.

(B) MODIFICATIONS.—Nothing in this section precludes the Secretary from approving modifications to exhibits to the Pechanga Settlement Agreement not inconsistent with this section, to the extent those modifications do not otherwise require congressional approval pursuant to section 2116 of the Revised Statutes (25 U.S.C. 177) or other applicable Federal law.

(3) ENVIRONMENTAL COMPLIANCE.—

(A) IN GENERAL.—In implementing the Pechanga Settlement Agreement, the Secretary shall promptly comply with all applicable requirements of—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(iii) all other applicable Federal environmental laws; and

(iv) all regulations promulgated under the laws described in clauses (i) through (iii).

(B) EXECUTION OF THE PECHANGA SETTLEMENT AGREEMENT.—

(i) IN GENERAL.—Execution of the Pechanga Settlement Agreement by the Secretary under this subsection shall not constitute a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(ii) COMPLIANCE.—The Secretary is directed to carry out all Federal compliance necessary to implement the Pechanga Settlement Agreement.

(C) LEAD AGENCY.—The Bureau of Reclamation shall be designated as the lead agency with respect to environmental compliance.

(d) TRIBAL WATER RIGHT.—

(1) INTENT OF CONGRESS.—It is the intent of Congress to provide to each Allottee benefits that are equal to or exceed the benefits Allottees possess as of the date of enactment of this section, taking into consideration—

(A) the potential risks, cost, and time delay associated with litigation that would be resolved by the Pechanga Settlement Agreement and this section;

(B) the availability of funding under this section;

(C) the availability of water from the Tribal Water Right and other water sources as set forth in the Pechanga Settlement Agreement; and

(D) the applicability of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), and this section to protect the interests of Allottees.

(2) CONFIRMATION OF TRIBAL WATER RIGHT.—

(A) IN GENERAL.—A Tribal Water Right of up to 4,994 acre-feet of water per year that, under natural conditions, is physically available on the Reservation is confirmed in accordance with the Findings of Fact and Conclusions of Law set forth in Interlocutory Judgment No. 41, as affirmed by the Fallbrook Decree.

(B) USE.—Subject to the terms of the Pechanga Settlement Agreement, this section, the Fallbrook Decree and applicable Federal law, the Band may use the Tribal Water Right for any purpose on the Reservation.

(3) HOLDING IN TRUST.—The Tribal Water Right, as set forth in paragraph (2), shall—

(A) be held in trust by the United States on behalf of the Band and the Allottees in accordance with this subsection;

(B) include the priority dates described in Interlocutory Judgment No. 41, as affirmed by the Fallbrook Decree; and

(C) not be subject to forfeiture or abandonment.

(4) ALLOTTEES.—

(A) APPLICABILITY OF ACT OF FEBRUARY 8, 1887.—The provisions of section 7 of the Act of February 8, 1887 (25 U.S.C. 381), relating to the use of water for irrigation purposes shall apply to the Tribal Water Right.

(B) ENTITLEMENT TO WATER.—Any entitlement to water of allotted land located within the exterior boundaries of the Reservation under Federal law shall be satisfied from the Tribal Water Right.

(C) ALLOCATIONS.—Allotted land located within the exterior boundaries of the Reservation shall be entitled to a just and equitable allocation of water for irrigation and domestic purposes from the Tribal Water Right.

(D) EXHAUSTION OF REMEDIES.—Before asserting any claim against the United States under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or any other applicable law, an Allottee shall exhaust remedies available under the Pechanga Water Code or other applicable tribal law.

(E) CLAIMS.—Following exhaustion of remedies available under the Pechanga Water Code or other applicable tribal law, an Allottee may seek relief under section 7 of the Act of February 8, 1887 (25 U.S.C. 381), or other applicable law.

(F) AUTHORITY.—The Secretary shall have the authority to protect the rights of Allottees as specified in this subsection.

(5) AUTHORITY OF BAND.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Band shall have authority to use, allocate, distribute, and lease the Tribal Water Right on the Reservation in accordance with—

(i) the Pechanga Settlement Agreement; and

(ii) applicable Federal law.

(B) LEASES BY ALLOTTEES.—

(i) IN GENERAL.—An Allottee may lease any interest in land held by the Allottee, together with any water right determined to be appurtenant to that interest in land.

(ii) WATER RIGHT APPURTENANT.—Any water right determined to be appurtenant to an interest in land leased by an Allottee shall be used on the Reservation.

(6) PECHANGA WATER CODE.—

(A) IN GENERAL.—Not later than 18 months after the enforceability date, the Band shall enact a Pechanga Water Code, that provides for—

(i) the management, regulation, and governance of all uses of the Tribal Water Right in accordance with the Pechanga Settlement Agreement; and

(ii) establishment by the Band of conditions, permit requirements, and other limitations relating to the storage, recovery, and use of the Tribal Water Right in accordance with the Pechanga Settlement Agreement.

(B) INCLUSIONS.—The Pechanga Water Code shall provide—

(i) that allocations of water to Allottees shall be satisfied with water from the Tribal Water Right;

(ii) that charges for delivery of water for irrigation purposes for Allottees shall be assessed in accordance with section 7 of the Act of February 8, 1887 (25 U.S.C. 381);

(iii) a process by which an Allottee (or any successor in interest to an Allottee) may request that the Band provide water for irrigation or domestic purposes in accordance with this section;

(iv) a due process system for the consideration and determination by the Band of any request by an Allottee (or any successor in interest to an Allottee) for an allocation of such water for irrigation or domestic purposes on allotted land, including a process for—

(I) appeal and adjudication of any denied or disputed distribution of water; and

(II) resolution of any contested administrative decision; and

(v) a requirement that any Allottee (or any successor in interest to an Allottee) with a claim relating to the enforcement of rights of the Allottee (or any successor in interest to an Allottee) under the Pechanga Water Code or relating to the amount of water allocated to land of the Allottee must first exhaust remedies available to the Allottee under tribal law and the Pechanga Water Code before initiating an action against the United States or petitioning the Secretary pursuant to paragraph (4)(D).

(C) ACTION BY SECRETARY.—

(i) IN GENERAL.—The Secretary shall administer the Tribal Water Right until the Pechanga Water Code is enacted and approved under this subsection.

(ii) APPROVAL.—Any provision of the Pechanga Water Code and any amendment to the Pechanga Water Code that affects the rights of Allottees—

(I) shall be subject to the approval of the Secretary; and

(II) shall not be valid until approved by the Secretary.

(iii) APPROVAL PERIOD.—The Secretary shall approve or disapprove the Pechanga Water Code within a reasonable period of time after the date on which the Band submits the Pechanga Water Code to the Secretary for approval.

(7) EFFECT.—Except as otherwise specifically provided in this section, nothing in this section—

(A) authorizes any action by an Allottee (or any successor in interest to an Allottee) against any individual or entity, or against the Band, under Federal, State, tribal, or local law; or

(B) alters or affects the status of any action pursuant to section 1491(a) of title 28, United States Code.

(e) SATISFACTION OF CLAIMS.—

(1) IN GENERAL.—The benefits provided to the Band under the Pechanga Settlement Agreement and this Act shall be in complete replacement of, complete substitution for, and full satisfaction of all claims of the Band against the United States that are waived and released pursuant to subsection (f).

(2) ALLOTTEE CLAIMS.—The benefits realized by the Allottees under this section shall be in complete replacement of, complete substitution for, and full satisfaction of—

(A) all claims that are waived and released pursuant to subsection (f); and

(B) any claims of the Allottees against the United States that the Allottees have or could have asserted that are similar in nature to any claim described in subsection (f).

(3) NO RECOGNITION OF WATER RIGHTS.—Except as provided in subsection (d)(4), nothing in this section recognizes or establishes any right of a member of the Band or an Allottee to water within the Reservation.

(4) CLAIMS RELATING TO DEVELOPMENT OF WATER FOR RESERVATION.—

(A) IN GENERAL.—The amounts authorized to be appropriated pursuant to subsection (j) shall be used to satisfy any claim of the Allottees against the United States with respect to the development or protection of water resources for the Reservation.

(B) SATISFACTION OF CLAIMS.—Upon the complete appropriation of amounts authorized pursuant to subsection (j), any claim of the Allottees against the United States with respect to the development or protection of water resources for the Reservation shall be deemed to have been satisfied.

(f) WAIVER OF CLAIMS.—

(1) IN GENERAL.—

(A) WAIVER OF CLAIMS BY THE BAND AND THE UNITED STATES ACTING IN ITS CAPACITY AS TRUSTEE FOR THE BAND.—

(i) IN GENERAL.—Subject to the retention of rights set forth in paragraph (3), in return for recognition of the Tribal Water Right and other benefits as set forth in the Pechanga Settlement Agreement and this section, the Band, on behalf of itself and the members of the Band (but not on behalf of a tribal member in the capacity of Allottee), and the United States, acting as trustee for the Band, are authorized and directed to execute a waiver and release of all claims for water rights within the Santa Margarita River Watershed that the Band, or the United States acting as trustee for the Band, asserted or could have asserted in any proceeding, including the Adjudication Proceeding, except to the extent that such rights are recognized in the Pechanga Settlement Agreement and this section.

(ii) CLAIMS AGAINST RCWD.—Subject to the retention of rights set forth in paragraph (3) and notwithstanding any provisions to the contrary in the Pechanga Settlement Agreement, the Band and the United States, on behalf of the Band and Allottees, fully release, acquit, and discharge RCWD from—

(I) claims for injuries to water rights in the Santa Margarita River Watershed for land located within the Reservation arising or occurring at any time up to and including June 30, 2009;

(II) claims for injuries to water rights in the Santa Margarita River Watershed for land located within the Reservation arising or occurring at any time after June 30, 2009, resulting from the diversion or use of water in a manner not in violation of the Pechanga Settlement Agreement or this section;

(III) claims for subsidence damage to land located within the Reservation arising or occurring at any time up to and including June 30, 2009;

(IV) claims for subsidence damage arising or occurring after June 30, 2009, to land located within the Reservation resulting from the diversion of underground water in a manner consistent with the Pechanga Settlement Agreement or this section; and

(V) claims arising out of, or relating in any manner to, the negotiation or execution of the Pechanga Settlement Agreement or the negotiation or execution of this section.

(B) CLAIMS BY THE UNITED STATES ACTING IN ITS CAPACITY AS TRUSTEE FOR ALLOTTEES.—Subject to the retention of claims set forth in paragraph (3), in return for recognition of the water rights of the Band and other benefits as set forth in the Pechanga Settlement Agreement and this section, the United States, acting as trustee for Allottees, is authorized and directed to execute a waiver and release of all claims for water rights within the Santa Margarita River Watershed that the United States, acting as trustee for the Allottees, asserted or could have asserted in any proceeding, including the Adjudication Proceeding.

(C) CLAIMS BY THE BAND AGAINST THE UNITED STATES.—Subject to the retention of rights set forth in paragraph (3), the Band, on behalf of itself and the members of the Band (but not on behalf of a tribal member in the capacity of Allottee), is authorized to execute a waiver and release of—

(i) all claims against the United States (including the agencies and employees of the United States) relating to claims for water rights in, or water of, the Santa Margarita River Watershed that the United States, acting in its capacity as trustee for the Band, asserted, or could have asserted, in any proceeding, including the Adjudication Proceeding, except to the extent that those rights are recognized in the Pechanga Settlement Agreement and this section;

(ii) all claims against the United States (including the agencies and employees of the United States) relating to damages, losses, or injuries to water, water rights, land, or natural resources due to loss of water or water rights (including damages, losses or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion, or taking of water or water rights, or claims relating to failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) in the Santa Margarita River Watershed that first accrued at any time up to and including the enforceability date;

(iii) all claims against the United States (including the agencies and employees of the United States) relating to the pending litigation of claims relating to the water rights of the Band in the Adjudication Proceeding; and

(iv) all claims against the United States (including the agencies and employees of the United States) relating to the negotiation or execution of the Pechanga Settlement Agreement or the negotiation or execution of this section.

(2) EFFECTIVENESS OF WAIVERS AND RELEASES.—The waivers under paragraph (1) shall take effect on the enforceability date.

(3) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.—Notwithstanding the waivers and releases authorized in this section, the Band, on behalf of itself and the members of the Band, and the United States, acting in its capacity as trustee for the Band and Allottees, retain—

(A) all claims for enforcement of the Pechanga Settlement Agreement and this section;

(B) all claims against any person or entity other than the United States and RCWD, including claims for monetary damages;

(C) all claims for water rights that are outside the jurisdiction of the Adjudication Court;

(D) all rights to use and protect water rights acquired on or after the enforceability date; and

(E) all remedies, privileges, immunities, powers, and claims, including claims for water rights, not specifically waived and released pursuant to this section and the Pechanga Settlement Agreement.

(4) EFFECT OF PECHANGA SETTLEMENT AGREEMENT AND ACT.—Nothing in the Pechanga Settlement Agreement or this section—

(A) affects the ability of the United States, acting as sovereign, to take actions authorized by law, including any laws relating to health, safety, or the environment, including—

(i) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(ii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(iv) any regulations implementing the Acts described in clauses (i) through (iii);

(B) affects the ability of the United States to take actions acting as trustee for any other Indian tribe or an Allottee of any other Indian tribe;

(C) confers jurisdiction on any State court—

(i) to interpret Federal law regarding health, safety, or the environment;

(ii) to determine the duties of the United States or other parties pursuant to Federal law regarding health, safety, or the environment; or

(iii) to conduct judicial review of Federal agency action;

(D) waives any claim of a member of the Band in an individual capacity that does not derive from a right of the Band;

(E) limits any funding that RCWD would otherwise be authorized to receive under any Federal law, including, the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h et seq.) as that Act applies to permanent facilities for water recycling, demineralization, and desalination, and distribution of nonpotable water supplies in Southern Riverside County, California;

(F) characterizes any amounts received by RCWD under the Pechanga Settlement Agreement or this section as Federal for purposes of section 1649 of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C. 390h–32); or

(G) affects the requirement of any party to the Pechanga Settlement Agreement or any of the exhibits to the Pechanga Settlement Agreement to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or the California Environmental Quality Act (Cal. Pub. Res. Code 21000 et seq.) prior to performing the respective obligations of that party under the Pechanga Settlement Agreement or any of the exhibits to the Pechanga Settlement Agreement.

(5) ENFORCEABILITY DATE.—The enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(A) the Adjudication Court has approved and entered a judgment and decree approving the Pechanga Settlement Agreement in substantially the same form as Appendix 2 to the Pechanga Settlement Agreement;

(B) all amounts authorized by this section have been deposited in the Fund;

(C) the waivers and releases authorized in paragraph (1) have been executed by the Band and the Secretary;

(D) the Extension of Service Area Agreement—

(i) has been approved and executed by all the parties to the Extension of Service Area Agreement; and

(ii) is effective and enforceable in accordance with the terms of the Extension of Service Area Agreement; and

(E) the ESAA Water Delivery Agreement—

(i) has been approved and executed by all the parties to the ESAA Water Delivery Agreement; and

(ii) is effective and enforceable in accordance with the terms of the ESAA Water Delivery Agreement.

(6) TOLLING OF CLAIMS.—

(A) IN GENERAL.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this subsection shall be tolled for the period beginning on the date of enactment of this Act and ending on the earlier of—

(i) April 30, 2030, or such alternate date after April 30, 2030, as is agreed to by the Band and the Secretary; or

(ii) the enforceability date.

(B) EFFECTS OF SUBSECTION.—Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this Act.

(C) LIMITATION.—Nothing in this subsection precludes the tolling of any period of limitations or any time-based equitable defense under any other applicable law.

(7) TERMINATION.—

(A) IN GENERAL.—If all of the amounts authorized to be appropriated to the Secretary pursuant to this section have not been made available to the Secretary by April 30, 2030—

(i) the waivers authorized by this subsection shall expire and have no force or effect; and

(ii) all statutes of limitations applicable to any claim otherwise waived under this subsection shall be tolled until April 30, 2030.

(B) VOIDING OF WAIVERS.—If a waiver authorized by this subsection is void under subparagraph (A)—

(i) the approval of the United States of the Pechanga Settlement Agreement under subsection (c) shall be void and have no further force or effect;

(ii) any unexpended Federal amounts appropriated or made available to carry out this section, together with any interest earned on those amounts, and any water rights or contracts to use water and title to other property acquired or constructed with Federal amounts appropriated or made available to carry out this section shall be returned to the Federal Government, unless otherwise agreed to by the Band and the United States and approved by Congress; and

(iii) except for Federal amounts used to acquire or develop property that is returned to the Federal Government under clause (ii), the United States shall be entitled to set off any Federal amounts appropriated or made available to carry out this section that were expended or withdrawn, together with any interest accrued, against any claims against the United States relating to water rights asserted by the Band or Allottees in any future settlement of the water rights of the Band or Allottees.

(g) WATER FACILITIES.—

(1) IN GENERAL.—The Secretary shall, subject to the availability of appropriations, using amounts from the designated accounts of the Fund, provide the amounts necessary to fulfill the obligations of the Band under the Recycled Water Infrastructure Agreement and the ESAA Capacity Agreement, in an amount not to exceed the amounts deposited in the designated accounts for such purposes plus any interest accrued on such amounts from the date of deposit in the Fund to the date of disbursement from the Fund, in accordance with this section and the terms and conditions of those agreements.

(2) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this subsection shall be nonreimbursable.

(3) RECYCLED WATER INFRASTRUCTURE.—

(A) IN GENERAL.—The Secretary shall, using amounts from the Pechanga Recycled Water Infrastructure account, provide amounts for the Storage Pond in accordance with this paragraph.

(B) STORAGE POND.—

(i) IN GENERAL.—The Secretary shall, subject to the availability of appropriations, provide the amounts necessary to fulfill the obligations of the Band under the Recycled Water Infrastructure Agreement for the design and construction of the Storage Pond, in an amount not to exceed $2,656,374.

(ii) PROCEDURE.—The procedure for the Secretary to provide amounts pursuant to this paragraph shall be as set forth in the Recycled Water Infrastructure Agreement.

(iii) LEAD AGENCY.—The Bureau of Reclamation shall be the lead agency for purposes of the implementation of this paragraph.

(iv) LIABILITY.—The United States shall have no responsibility or liability for the Storage Pond.

(4) ESAA DELIVERY CAPACITY.—

(A) IN GENERAL.—The Secretary shall, using amounts from the Pechanga ESAA Delivery Capacity account, provide amounts for Interim Capacity and Permanent Capacity in accordance with this paragraph.

(B) INTERIM CAPACITY.—

(i) IN GENERAL.—The Secretary shall, subject to the availability of appropriations, using amounts from the ESAA Delivery Capacity account, provide amounts necessary to fulfill the obligations of the Band under the ESAA Capacity Agreement for the provision by RCWD of Interim Capacity to the Band in an amount not to exceed $1,000,000.

(ii) PROCEDURE.—The procedure for the Secretary to provide amounts pursuant to this subparagraph shall be as set forth in the ESAA Capacity Agreement.

(iii) LEAD AGENCY.—The Bureau of Reclamation shall be the lead agency for purposes of the implementation of this subparagraph.

(iv) LIABILITY.—The United States shall have no responsibility or liability for the Interim Capacity to be provided by RCWD.

(v) TRANSFER TO BAND.—If RCWD does not provide the Interim Capacity Notice required pursuant to the ESAA Capacity Agreement by the date that is 60 days after the date required under the ESAA Capacity Agreement, the amounts in the Pechanga ESAA Delivery Capacity account for purposes of the provision of Interim Capacity and Permanent Capacity, including any interest that has accrued on those amounts, shall be available for use by the Band to provide alternative interim capacity in a manner that is similar to the Interim Capacity and Permanent Capacity that the Band would have received had RCWD provided such Interim Capacity and Permanent Capacity.

(C) PERMANENT CAPACITY.—

(i) IN GENERAL.—On receipt of the Permanent Capacity Notice pursuant to section 5(b) of the ESAA Capacity Agreement, the Secretary, acting through the Bureau of Reclamation, shall enter into negotiations with RCWD and the Band to establish an agreement that will allow for the disbursement of amounts from the Pechanga ESAA Delivery Capacity account in accordance with clause (ii).

(ii) SCHEDULE OF DISBURSEMENT.—Subject to the availability of amounts under subsection (h)(5), on execution of the ESAA Capacity Agreement, the Secretary shall, subject to the availability of appropriations and using amounts from the ESAA Delivery Capacity account, provide amounts necessary to fulfill the obligations of the Band under the ESAA Capacity Agreement for the provision by RCWD of Permanent Capacity to the Band in an amount not to exceed the amount available in the ESAA Delivery Capacity account as of the date on which the ESAA Capacity Agreement is executed.

(iii) PROCEDURE.—The procedure for the Secretary to provide funds pursuant to this subparagraph shall be as set forth in the ESAA Capacity Agreement.

(iv) LEAD AGENCY.—The Bureau of Reclamation shall be the lead agency for purposes of the implementation of this subparagraph.

(v) LIABILITY.—The United States shall have no responsibility or liability for the Permanent Capacity to be provided by RCWD.

(vi) TRANSFER TO BAND.—If RCWD does not provide the Permanent Capacity Notice required pursuant to the ESAA Capacity Agreement by the date that is 5 years after the enforceability date, the amounts in the Pechanga ESAA Delivery Capacity account for purposes of the provision of Permanent Capacity, including any interest that has accrued on those amounts, shall be available

for use by the Band to provide alternative permanent capacity in a manner that is similar to the Permanent Capacity that the Band would have received had RCWD provided such Permanent Capacity.

(h) PECHANGA SETTLEMENT FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the ''Pechanga Settlement Fund'', to be managed, invested, and distributed by the Secretary and to be available until expended, and, together with any interest earned on those amounts, to be used solely for the purpose of carrying out this section.

(2) TRANSFERS TO FUND.—The Fund shall consist of such amounts as are deposited in the Fund under subsection (j), together with any interest earned on those amounts, which shall be available in accordance with paragraph (5).

(3) ACCOUNTS OF PECHANGA SETTLEMENT FUND.—The Secretary shall establish in the Fund the following accounts:

(A) Pechanga Recycled Water Infrastructure account, consisting of amounts authorized pursuant to subsection (j)(1).

(B) Pechanga ESAA Delivery Capacity account, consisting of amounts authorized pursuant to subsection (j)(2).

(C) Pechanga Water Fund account, consisting of amounts authorized pursuant to subsection (j)(3).

(D) Pechanga Water Quality account, consisting of amounts authorized pursuant to subsection (j)(4).

(4) MANAGEMENT OF FUND.—The Secretary shall manage, invest, and distribute all amounts in the Fund in a manner that is consistent with the investment authority of the Secretary under—

(A) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(B) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(C) this subsection.

(5) AVAILABILITY OF AMOUNTS.—Amounts appropriated to, and deposited in, the Fund, including any investment earnings accrued from the date of deposit in the Fund through the date of disbursement from the Fund, shall be made available to the Band by the Secretary beginning on the enforceability date.

(6) WITHDRAWALS BY BAND PURSUANT TO THE AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT.—

(A) IN GENERAL.—The Band may withdraw all or part of the amounts in the Fund on approval by the Secretary of a tribal management plan submitted by the Band in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) REQUIREMENTS.—

(i) IN GENERAL.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the tribal management plan under subparagraph (A) shall require that the Band shall spend all amounts withdrawn from the Fund in accordance with this section.

(ii) ENFORCEMENT.—The Secretary may carry out such judicial or administrative actions as the Secretary determines to be necessary to enforce the tribal management plan to ensure that amounts withdrawn by the Band from the Fund under this paragraph are used in accordance with this section.

(7) WITHDRAWALS BY BAND PURSUANT TO AN EXPENDITURE PLAN.—

(A) IN GENERAL.—The Band may submit an expenditure plan for approval by the Secretary requesting that all or part of the amounts in the Fund be disbursed in accordance with the plan.

(B) REQUIREMENTS.—The expenditure plan under subparagraph (A) shall include a description of the manner and purpose for which the amounts proposed to be disbursed from the Fund will be used, in accordance with paragraph (8).

(C) APPROVAL.—If the Secretary determines that an expenditure plan submitted under this subsection is consistent with the purposes of this section, the Secretary shall approve the plan.

(D) ENFORCEMENT.—The Secretary may carry out such judicial or administrative actions as the Secretary determines necessary to enforce an expenditure plan to ensure that amounts disbursed under this paragraph are used in accordance with this section.

(8) USES.—Amounts from the Fund shall be used by the Band for the following purposes:

(A) PECHANGA RECYCLED WATER INFRASTRUCTURE ACCOUNT.—The Pechanga Recycled Water Infrastructure account shall be used for expenditures by the Band in accordance with subsection (g)(3).

(B) PECHANGA ESAA DELIVERY CAPACITY ACCOUNT.—The Pechanga ESAA Delivery Capacity account shall be used for expenditures by the Band in accordance with subsection (g)(4).

(C) PECHANGA WATER FUND ACCOUNT.—The Pechanga Water Fund account shall be used for—

(i) payment of the EMWD Connection Fee;

(ii) payment of the MWD Connection Fee; and

(iii) any expenses, charges, or fees incurred by the Band in connection with the delivery or use of water pursuant to the Pechanga Settlement Agreement.

(D) PECHANGA WATER QUALITY ACCOUNT.—The Pechanga Water Quality account shall be used by the Band to fund groundwater desalination activities within the Wolf Valley Basin.

(9) LIABILITY.—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure of, or the investment of any amounts withdrawn from, the Fund by the Band under paragraph (6) or (7).

(10) NO PER CAPITA DISTRIBUTIONS.—No portion of the Fund shall be distributed on a per capita basis to any member of the Band.

(i) MISCELLANEOUS PROVISIONS.—

(1) WAIVER OF SOVEREIGN IMMUNITY BY THE UNITED STATES.—Except as provided in subsections (a) through (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666), nothing in this section waives the sovereign immunity of the United States.

(2) OTHER TRIBES NOT ADVERSELY AFFECTED.—Nothing in this section quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian tribe, band, or community other than the Band.

(3) LIMITATION ON CLAIMS FOR REIMBURSEMENT.—With respect to Indian land within the Reservation—

(A) the United States shall not submit against any Indian-owned land located within the Reservation any claim for reimbursement of the cost to the United States of carrying out this section and the Pechanga Settlement Agreement; and

(B) no assessment of any Indian-owned land located within the Reservation shall be made regarding that cost.

(4) EFFECT ON CURRENT LAW.—Nothing in this subsection affects any provision of law (including regulations) in effect on the day before the date of enactment of this Act with respect to preenforcement review of any Federal environmental enforcement action.

(j) AUTHORIZATION OF APPROPRIATIONS.—

(1) PECHANGA RECYCLED WATER INFRASTRUCTURE ACCOUNT.—There is authorized to be appropriated $2,656,374, for deposit in the Pechanga Recycled Water Infrastructure account, to carry out the activities described in subsection (g)(3).

(2) PECHANGA ESAA DELIVERY CAPACITY ACCOUNT.—There is authorized to be appropriated $17,900,000, for deposit in the Pechanga ESAA Delivery Capacity account, which amount shall be adjusted for changes in construction costs since June 30, 2009, as is indicated by ENR Construction Cost Index, 20-City Average, as applicable to the types of construction required for the Band to provide the infrastructure necessary for the Band to provide the Interim Capacity and Permanent Capacity in the event that RCWD elects not to provide the Interim Capacity or Permanent Capacity as set forth in the ESAA Capacity Agreement and contemplated in subparagraphs (B)(v) and (C)(vi) of subsection (g)(4), with such adjustment ending on the date on which funds authorized to be appropriated under this subsection have been deposited in the Fund.

(3) PECHANGA WATER FUND ACCOUNT.—There is authorized to be appropriated $5,483,653, for deposit in the Pechanga Water Fund account, which amount shall be adjusted for changes in appropriate cost indices since June 30, 2009, with such adjustment ending on the date of deposit in the Fund, for the purposes set forth in subsection (h)(8)(C).

(4) PECHANGA WATER QUALITY ACCOUNT.—There is authorized to be appropriated $2,460,000, for deposit in the Pechanga Water Quality account, which amount shall be adjusted for changes in appropriate cost indices since June 30, 2009, with such adjustment ending on the date of deposit in the Fund, for the purposes set forth in subsection (h)(8)(D).

(k) REPEAL ON FAILURE OF ENFORCEABILITY DATE.—If the Secretary does not publish a statement of findings under subsection (f)(5) by April 30, 2021, or such alternative later date as is agreed to by the Band and the Secretary, as applicable—

(1) this section is repealed effective on the later of May 1, 2021, or the day after the alternative date agreed to by the Band and the Secretary;

(2) any action taken by the Secretary and any contract or agreement pursuant to the authority provided under any provision of this section shall be void;

(3) any amounts appropriated under subsection (j), together with any interest on those amounts, shall immediately revert to the general fund of the Treasury; and

(4) any amounts made available under subsection (j) that remain unexpended shall immediately revert to the general fund of the Treasury.

(l) ANTIDEFICIENCY.—

(1) IN GENERAL.—Notwithstanding any authorization of appropriations to carry out this section, the expenditure or advance of any funds, and the performance of any obligation by the Department in any capacity, pursuant to this section shall be contingent on the appropriation of funds for that expenditure, advance, or performance.

(2) LIABILITY.—The Department of the Interior shall not be liable for the failure to carry out any obligation or activity authorized by this section if adequate appropriations are not provided to carry out this section.

SEC. 8010. GOLD KING MINE SPILL RECOVERY.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) CLAIMANT.—The term ''claimant'' means a State, Indian tribe, or local government that submits a claim under subsection (c).

(3) GOLD KING MINE RELEASE.—The term ''Gold King Mine release'' means the discharge on August 5, 2015, of approximately 3,000,000 gallons of contaminated water from the Gold King Mine north of Silverton, Colorado, into Cement Creek that occurred while contractors of the Environmental Protection Agency were conducting an investigation of the Gold King Mine to assess mine conditions.

(4) NATIONAL CONTINGENCY PLAN.—The term ''National Contingency Plan'' means the National Contingency Plan prepared and published under part 300 of title 40, Code of Federal Regulations (or successor regulations).

(5) RESPONSE.—The term ''response'' has the meaning given the term in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Administrator should receive and process, as expeditiously as possible, claims under chapter 171 of title 28, United States Code (commonly known as the ''Federal Tort Claims Act'') for any injury arising out of the Gold King Mine release.

(c) GOLD KING MINE RELEASE CLAIMS PURSUANT TO THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT.—

(1) IN GENERAL.—The Administrator shall, consistent with the National Contingency Plan, receive and process under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), and pay from appropriations made available to the Administrator to carry out that Act, any claim made by a State, Indian tribe, or local government for eligible response costs relating to the Gold King Mine release.

(2) ELIGIBLE RESPONSE COSTS.—

(A) IN GENERAL.—Response costs incurred between August 5, 2015, and September 9, 2016, are eligible for payment by the Administrator under this subsection, without prior approval by the Administrator, if the response costs are not inconsistent with the National Contingency Plan.

(B) PRIOR APPROVAL REQUIRED.—Response costs incurred after September 9, 2016, are eligible for payment by the Administrator under this subsection if—

(i) the Administrator approves the response costs under section 111(a)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9611(a)(2)); and

(ii) the response costs are not inconsistent with the National Contingency Plan.

(3) PRESUMPTION.—

(A) IN GENERAL.—The Administrator shall consider response costs claimed under paragraph (1) to be eligible response costs if a reasonable basis exists to establish that the response costs are not inconsistent with the National Contingency Plan.

(B) APPLICABLE STANDARD.—In determining whether a response cost is not inconsistent with the National Contingency Plan, the Administrator shall apply the same standard that the United States applies in seeking recovery of the response costs of the United States from responsible parties under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607).

(4) TIMING.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall make a decision on, and pay, any eligible response costs submitted to the Administrator before that date of enactment.

(B) SUBSEQUENTLY FILED CLAIMS.—Not later than 90 days after the date on which a claim is submitted to the Administrator, the Administrator shall make a decision on, and pay, any eligible response costs.

(C) DEADLINE.—All claims under this subsection shall be submitted to the Administrator not later than 180 days after the date of enactment of this Act.

(D) NOTIFICATION.—Not later than 30 days after the date on which the Administrator makes a decision under subparagraph (A) or (B), the Administrator shall notify the claimant of the decision.

(d) WATER QUALITY PROGRAM.—

(1) IN GENERAL.—In response to the Gold King Mine release, the Administrator, in conjunction with affected States, Indian tribes, and local governments, shall, subject to the availability of appropriations, develop and implement a program for long-term water quality monitoring of rivers contaminated by the Gold King Mine release.

(2) REQUIREMENTS.—In carrying out the program described in paragraph (1), the Administrator, in conjunction with affected States, Indian tribes, and local governments, shall—

(A) collect water quality samples and sediment data;

(B) provide the public with a means of viewing the water quality sample results and sediment data referred to in subparagraph (A) by, at a minimum, posting the information on the website of the Administrator;

(C) take any other reasonable measure necessary to assist affected States, Indian tribes, and local governments with long-term water monitoring; and

(D) carry out additional program activities related to long-term water quality monitoring that the Administrator determines to be necessary.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator such sums as may be necessary to carry out this subsection, including the reimbursement of affected States, Indian tribes, and local governments for the costs of long-term water quality monitoring of any river contaminated by the Administrator.

(e) EXISTING STATE AND TRIBAL LAW.—Nothing in this section affects the jurisdiction or authority of any department, agency, or officer of any State government or any Indian tribe.

(f) SAVINGS CLAUSE.—Nothing in this section affects any right of any State, Indian tribe, or other person to bring a claim against the United States for response costs or natural resources damages pursuant to section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607).

SA 5043. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 213, strike line 6 and insert the following:

affected by lead in a public water system.

''(7) SHORT-TERM REMEDY FOR LEAD IN DRINKING WATER.—In the case of an exceedance of a lead action level or any other prescribed level of lead in a regulation issued under section 1412, including the concentrations of lead found in a monitoring activity or any other level of lead determined by the Administrator to warrant notice under paragraph (3), not later than 7 days after the date on which notice is provided to the public under paragraph (3), the State that has primary enforcement responsibility under section 1413 shall identify short-term remedies, including bottled water or a water filtration system, for affected households.''.

SA 5044. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert:

It is the sense of Congress that—

1) State water quality standards that impact the disposal of dredged material should be developed collaboratively, with input from all relevant stakeholders;

2) Open-water disposal of dredged material should be reduced to the maximum extent practicable;

3) Disputes between states related to the disposal of dredged material and the protection of water quality should be resolved between the states in accordance with regional plans and involving regional bodies.

SA 5045. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 80____. EXEMPTION OF RURAL WATER PROJECTS FROM CERTAIN RENTAL FEES.

Section 504(g) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1764(g)) is amended in the eighth sentence by inserting ''and for any rural water project serving fewer than 3,300 individuals that is federally financed (including a project that receives Federal funds under the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) or from a State drinking water treatment revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12)) (referred to in this subsection as a 'covered project'), subject to the requirement that the total amount of rental fees that may be exempted with respect to covered projects shall not exceed $50,000 in any 1 year'' after ''such facilities''.

SA 5046. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects

for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 4018, add the following:

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $50,000,000 for each fiscal year.

SA 5047. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following

SEC. 71_____. SCHOOL TESTING AND NOTIFICATION; GRANT PROGRAM.

(a) IN GENERAL.—Section 1464 of the Safe Drinking Water Act (42 U.S.C.300j–24) is amended by adding at the end the following:

''(e) TESTING AND NOTIFICATION REQUIREMENTS FOR PUBLIC WATER SYSTEMS THAT SERVE SCHOOLS.—Not later than 1 year after the date of enactment of the Water Resources Development Act of 2016, the Administrator shall promulgate a regulation that—

''(1) requires—

''(A) each public water system that serves a school or licensed childcare facility determined by the Administrator to have a risk of lead in the drinking water at a level that meets or exceeds the lead action level established by the Administrator under section 1412(b) to offer to the local educational agency that operates the school assistance in sampling for lead in the drinking water of the school;

''(B) in the case of a local educational agency that accepts assistance in sampling for lead in the drinking water of the school, the public water system to sample for lead; and

''(2) requires a public water system that provides assistance under paragraph (1) and obtains the sampling results for a school to provide the sampling results to the local educational agency that has jurisdiction over the school and the head of the State agency that has primary responsibility to carry out this title in the State not later than 5 business days after the date on which the public water system receives the sampling results.

''(f) SCHOOL LEAD TESTING AND REMEDIATION GRANT PROGRAM.—

''(1) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means—

''(A) a local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

''(B) a public water system that provides assistance to a local education agency under subsection (e)(1); or

''(C) a State agency that administers a statewide program to test for, or remediate, lead contamination in drinking water.

''(2) GRANTS AUTHORIZED.—Not later than 1 year after the date of enactment of this subsection, the Administrator shall establish a grant program to make grants available to eligible entities to test for, or remediate, lead contamination in school drinking water.

''(3) USE OF FUNDS.—An eligible entity that receives a grant under this subsection may use grant funds—

''(A) to recover the costs incurred by the eligible entity for testing for lead contamination in school drinking water conducted by the eligible entity or another entity approved by the Administrator or the State to conduct the testing; or

''(B) to replace lead pipes and short-term measures, pipe fittings, plumbing fittings, and fixtures of any school with drinking water that contains a level of lead that exceeds the action level established by the Administrator under section 1412(b) with lead free (as defined in section 1417) pipes, pipe fittings, plumbing fittings, and fixtures.

''(4) GUIDANCE; PUBLIC AVAILABILITY.—As a condition of receiving a grant under this subsection, an eligible entity shall—

''(A) expend grant funds in accordance with—

''(i) the guidance of the Environmental Protection Agency entitled '3Ts for Reducing Lead in Drinking Water in Schools: Revised Technical Guidance' and dated October 2006 (or any successor guidance); or

''(ii) applicable State regulations or guidance regarding the reduction of lead in drinking water in schools that is consistent with the guidance referred to in clause (i), as determined by the Administrator;

''(B) make publicly available, including, to the maximum extent practicable, on the Internet website of the eligible entity, a copy of the results of any testing for lead contamination in school drinking water that is carried out with funds under this subsection; and

''(C) notify parent, teacher, and employee organizations of the availability of the results described in subparagraph (B).''.

SA 5048. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 7118. CAPACITY DEVELOPMENT.

Section 1420 of the Safe Drinking Water Act (42 U.S.C. 300g–9) is amended—

(1) in subsection (b), by adding at the end the following:

''(4) HISTORICAL SIGNIFICANT NONCOMPLIERS.—

''(A) IN GENERAL.—The head of the State agency that has primary responsibility to carry out this title in the State shall provide written notice to a public water system that the Administrator has determined the public water system to be a historical significant noncomplier of this part.

''(B) RETURN TO COMPLIANCE ASSESSMENT.—Not later than 180 days after the date on which a public water system receives a notice under subparagraph (A), the public water system shall carry out, and submit to the head of the State agency that has primary responsibility to carry out this title in the State for review, a return to compliance assessment that may include consideration of partnership options (as described in subsection (d)(3)(A)).

''(C) NO ENFORCEMENT ACTION.—

''(i) IN GENERAL.—Except as provided in clause (ii), neither the Administrator nor a State shall take any action against a historical significant noncomplier of this part during the time period described in subparagraph (B) if the historical significant noncomplier is pursuing a partnership actively and in good faith.

''(ii) EXCEPTION.—Notwithstanding clause (i), the Administrator or a State may take an action against a historical significant noncomplier during the time period described in subparagraph (B) to address an imminent or acute public health risk.'';

(2) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (C)(ii), by inserting ''that are determined to be historical significant noncompliers and public water systems that are not determined to be historical significant noncompliers'' after ''public water systems'';

(ii) in subparagraph (D), by striking ''and'' after the semicolon;

(iii) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(F) a description of—

''(i) the efforts of the head of the State agency that has primary responsibility to carry out this title in the State to promote partnerships; and

''(ii) how many partnerships the head of the State agency that has primary responsibility to carry out this title in the State expects to be successful.''; and

(B) in paragraph (3), by inserting '', efforts to promote partnerships, number of successful partnerships,'' after ''efficacy of the strategy'';

(3) in subsection (d)—

(A) by redesignating paragraph (3) and (4) as paragraphs (9) and (10), respectively; and

(B) by inserting after paragraph (2) the following:

''(3) PARTNERSHIPS.—

''(A) IN GENERAL.—A partnership described in this paragraph includes—

''(i) a change in the ownership or the financial, technical, and operational management structure of a water system determined by the Administrator to be a historical significant noncomplier of this part;

''(ii) a partnership between a water system determined by the Administrator to be a historical significant noncomplier of this part and a water system that is not determined by the Administrator to be a historical significant noncomplier of this part; and

''(iii) a partnership between 2 or more water systems determined by the Administrator to be historical significant noncompliers of this part.

''(B) DEADLINE FOR RETURN TO COMPLIANCE.—A water system determined by the Administrator to be a historical significant noncomplier of this part that enters into a partnership agreement shall return to compliance—

''(i) in the case of an approved State plan, as soon as practicable but not later than 3 years after the date on which the water system enters into the partnership agreement; or

''(ii) in the case of an enforceable agreement approved by the State and the Administrator, not later than 6 years after the date on which the water system enters into the partnership agreement.

''(C) STATE REVOLVING LOAN FUNDS.—The Administrator may not withhold from a State funds under section 1452 or reduce any State allotment or set-aside under that section based on the action or inaction of a State with respect to new partnerships under this section.

''(4) PARTNERSHIP INCENTIVES.—The Administrator shall—

''(A) establish incentives for public water systems to enter into a partnership described

in paragraph (3)(A), including allowing a State to award grant and loan funds to a public water system that is determined by the Administrator to be a historical significant noncomplier of this part—

''(i) to assess partnership options; and

''(ii) to engage in peer-to-peer assistance; and

''(B) provide other technical assistance as necessary to achieve compliance with this section.

''(5) SAFE HARBOR.—

''(A) IN GENERAL.—A public water system that enters into a partnership described in clause (i) or (ii) of paragraph (3)(A) and acquires ownership or control of a water system determined by the Administrator to be a historical significant noncomplier of this part shall be held harmless from any fines or penalties associated with violations of Federal law by the historical significant noncomplier that occurred on a date that is before the change in ownership or control of that public water system if the public water system discloses the violations to the State and the Administrator under such notice requirements as the Administrator may establish.

''(B) PARTNERSHIP BETWEEN 2 OR MORE HISTORICAL SIGNIFICANT NONCOMPLIERS.—Subparagraph (A) shall not apply to a partnership described in clause (iii) of paragraph (3)(A).

''(6) VOLUNTARY COMPLIANCE AUDITS.—The Administrator shall establish incentives for public water systems to assess compliance with this title, including the use of Federal or State audit and self-disclosure policies that include an assessment of the completeness and accuracy of monitoring and data reported to the head of the State agency that has primary responsibility to carry out this title in the State to determine compliance.

''(7) GUIDANCE; COFUNDING.—

''(A) IN GENERAL.—Not later than 18 months after the date of enactment of this paragraph, the Administrator, in coordination with the Secretary of Agriculture and the Secretary of Housing and Urban Development, shall develop guidance on the use of all available Federal grants and loan funds for public water systems that enter into a partnership agreement.

''(B) COFUNDING.—The Administrator shall maximize flexibility for the use of cofunding for public water systems that enter into a partnership agreement.

''(8) RECIPROCITY.—The Administrator shall develop incentives to encourage reciprocity among States to provide greater mobility of certified operators, with a focus on rural and disadvantaged communities.''; and

(4) in subsection (g)(2)—

(A) in the first sentence, by striking ''The Administrator'' and inserting the following:

''(1) IN GENERAL.—The Administrator'';

(B) in the second sentence, by striking ''The Administrator'' and inserting the following:

''(2) NO DUPLICATION.—The Administrator''; and

(C) by adding at the end the following:

''(3) BEST PRACTICES DATABASE.—

''(A) IN GENERAL.—The Administrator, in coordination with the States, shall establish a best practices database to share examples of practices involving operational, technical, and financial capacity under this part.

''(B) GRANTS AUTHORIZED.—The Administrator may make grants available to an appropriate nonprofit organization to develop and maintain the database described in subparagraph (A).''.

SA 5049. Mr. BOOKER (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 6004, add the following:

(3) The Hudson-Raritan Estuary Comprehensive Restoration Project.

SA 5050. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8_____. WATER INFRASTRUCTURE AND WORKFORCE INVESTMENT.

(a) FINDINGS.—Congress finds that—

(1) utilities and local governments invest significant resources in planning, designing, constructing, operating, and maintaining water, wastewater, and stormwater systems—

(A) to ensure a safe and reliable water supply for customers; and

(B) to maintain public health, safety, and environmental quality;

(2) during the 10-year period beginning on the date of enactment of this Act, 30 of the largest water and wastewater utilities in the United States will—

(A) invest $233,000,000,000 in operating and capital spending; and

(B) support 290,000 jobs annually;

(3) every $1,000,000,000 in Federal investment in water and wastewater infrastructure creates an estimated 26,000 jobs;

(4) jobs in the water and wastewater sector, including apprenticeship positions, typically pay more than 3 times the minimum wage;

(5) the median age of water sector workers is 48 years old, which is 6 years older than the national median age of workers;

(6) water and wastewater utilities anticipate unprecedented workforce replacement needs over the 10-year period described in paragraph (2) because 37 percent of water utility workers and 31 percent of wastewater utility workers will retire during that period;

(7) during the period described in paragraph (6), workforce replacement needs in the water sector will exceed the 23-percent nationwide replacement need of the total workforce; and

(8) water infrastructure projects and permanent water utility jobs can offer access to stable, high-quality jobs with competitive wages and benefits.

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

(1) water and wastewater utilities provide a unique opportunity for access to stable, high-quality careers;

(2) as water and wastewater utilities make critical investments in infrastructure, water and wastewater utilities can invest in the development of local workers and local small businesses to strengthen communities and ensure a strong pipeline of skilled and diverse workers for today and tomorrow; and

(3) to further the goal of ensuring a strong pipeline of skilled and diverse workers in the water and wastewater utilities sector, Congress urges—

(A) increased collaboration among Federal, State, and local governments; and

(B) institutions of higher education, apprentice programs, high schools, and other community-based organizations to align workforce training programs and community resources with water and wastewater utilities to accelerate career pipelines and provide access to workforce opportunities.

(c) INNOVATIVE WATER INFRASTRUCTURE WORKFORCE DEVELOPMENT PROGRAM.—

(1) GRANTS AUTHORIZED.—The Administrator of the Environmental Protection Agency and the Secretary shall establish a competitive grant program to assist the development of innovative activities relating to workforce development in the water utility sector.

(2) SELECTION OF GRANT RECIPIENTS.—In awarding grants under paragraph (1), the Administrator or the Secretary, as applicable, shall, to the maximum extent practicable, select water utilities that—

(A) are geographically diverse;

(B) address the workforce and human resources needs of large and small public water and wastewater utilities;

(C) address the workforce and human resources needs of urban and rural public water and wastewater utilities;

(D) advance training relating to construction, utility operations, treatment and distribution, green infrastructure, customer service, maintenance, and engineering; and

(E)(i) have a high retiring workforce rate; or

(ii) are located in areas with a high unemployment rate.

(3) USE OF FUNDS.—Grants awarded under paragraph (1) may be used for activities such as—

(A) targeted internship, apprenticeship, preapprenticeship, and post-secondary bridge programs for mission-critical skilled trades, in collaboration with labor organizations, community colleges, and other training and education institutions that provide—

(i) on-the-job training;

(ii) soft and hard skills development;

(iii) test preparation for skilled trade apprenticeships; or

(iv) other support services to facilitate post-secondary success;

(B) kindergarten through 12th grade and young adult education programs that—

(i) educate young people about the role of water and wastewater utilities in the communities of the young people;

(ii) increase the career awareness and exposure of the young people to water utility careers through various work-based learning opportunities inside and outside the classroom; and

(iii) connect young people to post-secondary career pathways related to water utilities;

(C) regional industry and workforce development collaborations to identify water utility employment needs, map existing career pathways, support the development of curricula, facilitate the sharing of resources, and coordinate candidate development, staff preparedness efforts, and activities that engage and support—

(i) water utilities employers;

(ii) educational and training institutions;

(iii) local community-based organizations;

(iv) public workforce agencies; and

(v) other related stakeholders;

(D) integrated learning laboratories embedded in high schools or other secondary

educational institutions that provide students with—

(i) hands-on, contextualized learning opportunities;

(ii) dual enrollment credit for post-secondary education and training programs; and

(iii) direct connection to industry employers; and

(E) leadership development, occupational training, mentoring, or cross-training programs that ensure that incumbent water and wastewater utilities workers are prepared for higher-level supervisory or management-level positions.

SA 5051. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 79, strike lines 22 through 25 and insert the following:

(1) by redesignating paragraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), and (13) as paragraphs (5), (6), (7), (9), (10), (12), (14), (15), (16), and (17), respectively;

On page 81, strike lines 3 through 5 and insert the following:

(3) by inserting after paragraph (7) (as redesignated by paragraph (1)) the following:

''(8) FISH PASSAGE.—The term 'fish passage' means any activity or structure that improves the movement of native fish or other native aquatic species by reconnecting upstream and downstream habitats.'';

(4) by inserting after paragraph (10) (as redesignated by paragraph (1)) the following:

''(11) NON-FEDERAL SPONSOR.—The term

On page 81, strike lines 9 through 15 and insert the following:

''(B) a nonprofit organization.''; and

(5) by inserting after paragraph (12) (as redesignated by paragraph (1)) the following:

''(13) REHABILITATION.—

''(A) IN GENERAL.—The term 'rehabilitation' means the repair, replacement, reconstruction, or removal of a dam that is carried out to meet applicable State dam safety and security standards.

''(B) INCLUSION.—The term 'rehabilitation' includes the construction or restoration of a structure that effectively accomplishes fish passage.''.

On page 82, strike lines 7 through 9 and insert the following:

''(3) the restoration of fish passage.

SA 5052. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 80___. CHESAPEAKE BAY GRASS SURVEY.

There is authorized to be appropriated to the Administrator of the Environmental Protection Agency for the Chesapeake Bay Grass Survey $150,000 for fiscal year 2017 and each fiscal year thereafter.

SA 5053. Mr. REID (for Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 80, line 24, insert ''with a generating capacity of more than 6 megawatts'' after ''dam''.

SA 5054. Mr. REID (for Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 10___. FLOOD CONTROL RESERVOIRS.

Notwithstanding any other provision of law, the Secretary may study, design, and construct a control gate, spillway, or dam safety improvement for a flood control reservoir—

(1) that was constructed, in whole or in part, by the Corps of Engineers;

(2) for which the construction was completed before 1940; and

(3) that is operated by a non-Federal entity.

SA 5055. Mr. REID submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 30___. MODIFICATION OF COST ALLOCATION FOR BOCA RESERVOIR DAM, CALIFORNIA.

Section 4(c)(1) of the Reclamation of Safety of Dams Act of 1978 (43 U.S.C. 508(c)(1)) is amended—

(1) by striking the period at the end and inserting ''; and'';

(2) by striking ''case of'' and inserting ''case of—'';

(3) by striking ''Jackson Lake Dam'' and inserting the following:

''(A) Jackson Lake Dam''; and

(4) by adding at the end the following:

''(B) Boca Reservoir Dam, Truckee River Storage Project, California, such costs shall be allocated—

''(i) in accordance with the authorized purposes of the Truckee-Carson-Pyramid Lake Water Rights Settlement Act (Public Law 101–618; 104 Stat. 3294); and

''(ii) in proportion to the beneficial use of waters, as determined by the Truckee River Operating Agreement Administrator.''.

SA 5056. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 71___. REPLACEMENT OF LEAD SERVICE LINES.

Section 1452(a)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)(2)) (as amended by section 7101) is amended by adding at the end the following:

''(G) LEAD SERVICE LINE REPLACEMENT.—Funds may be used to provide assistance for complete service line replacement, regardless of pipe material and ownership of the property, if—

''(i) the assistance is provided to an entity that is eligible to receive assistance under this section; and

''(ii) the project complies with all other requirements under this section.''.

SA 5057. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 80___. SHELLFISH FARMS.

Notwithstanding any other provision of law, any verification letter or other permit coverage issued to a new or existing shellfish farm in the State of Washington by the Secretary under 2012 Nationwide Permit 48 (described in the final notice entitled ''Reissuance of Nationwide Permits'' (77 Fed. Reg. 10184 (February 21, 2012))), and before the effective date of the 2017 Nationwide Permit 48 (described in the notice of proposed rulemaking entitled ''Proposal to Reissue and Modify Nationwide Permits'' (81 Fed. Reg. 35186 (June 1, 2016))), shall be in effect during the period beginning on the date of issuance of the permit and ending on the date that is 5 years after the effective date of the 2017 Nationwide Permit 48.

SA 5058. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 40___. COLUMBIA RIVER FLOOD RISK.

(a) IN GENERAL.—The Secretary shall prepare a report that includes a cost estimate and a proposed scope and schedule for assessing the appropriate level of flood risk in the Columbia River basin to ensure resiliency and continuation of the multiple-purpose benefits and economic viability provided by the existing system of dams, reservoirs, and levees in the region.

(b) CONSULTATION.—In preparing the report under subsection (a), the Secretary—

(1) shall consult with—

(A) the heads of Federal agencies with responsibilities in the Columbia River basin;

(B) the Governors of the States of Washington, Oregon, Idaho, and Montana; and

(C) the heads of affected Columbia Basin Indian tribes in the region; and

(2) is encouraged to solicit input from the public and other interested parties regarding the proposed scope and schedule.

(c) LIMITATIONS.—

(1) IN GENERAL.—In preparing the report under subsection (a), the Secretary shall not expend more than $3,000,000.

(2) COST SHARE.—The report under subsection (a) shall be prepared at full Federal expense.

(d) DEADLINE.—The report under subsection (a) shall be completed—

(1) not earlier than 2 years after the date of enactment of this Act; and

(2) not later than 3 years after the date of enactment of this Act.

SA 5059. Mr. SASSE (for himself, Mr. COTTON, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

SEC. 8003. EXEMPTION FROM INDIVIDUAL MANDATE PENALTY OF PARTICIPANTS IN TERMINATED PLANS UNDER CONSUMER OPERATED AND ORIENTED PLAN PROGRAM.

(a) IN GENERAL.—Subsection (e) of section 5000A of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) PARTICIPANTS IN CERTAIN TERMINATED CONSUMER OPERATED AND ORIENTED PLAN PROGRAM PLANS.—Any applicable individual, if—

''(A) the individual was enrolled in a qualified health plan offered by a qualified nonprofit health insurance issuer (as defined in subsection (c) of section 1322 of the Patient Protection and Affordable Care Act) receiving funds through the Consumer Operated and Oriented Plan program established under such section for such plan, and

''(B) during any month while the individual was so enrolled, such issuer terminated or otherwise discontinued providing all plans of the issuer in the area in which the individual resides,

for such month and any subsequent month.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to months in taxable years beginning after December 31, 2013.

SA 5060. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. MCCONNELL (for Mr. INHOFE (for himself and Mrs. BOXER)) to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert:

It is the sense of Congress that—

1) State water quality standards that impact the disposal of dredged material should be developed collaboratively, with input from all relevant stakeholders;

2) Open-water disposal of dredged material should be reduced to the maximum extent practicable;

3) Where practicable, the preference is for disputes between states related to the disposal of dredged material and the protection of water quality to be resolved between the states in accordance with regional plans and involving regional bodies.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 12, 2016, at 5 p.m., to hold a classified briefing entitled ''The Failed Coup in Turkey and the Future of U.S.-Turkish Cooperation.

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

SIGNING AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the junior Senator from Nouth Carolina and the senior Senator from Texas be granted signing authority for Monday, September 12, 2016.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDERS FOR TUESDAY, SEPTEMBER 13, 2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, September 13; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of S. 2848; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings; finally, that all time during recess or adjournment of the Senate count postcloture on amendment No. 4979.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:46 p.m., adjourned until Tuesday, September 13, 2016, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

CORPORATION FOR PUBLIC BROADCASTING

DAVID J. ARROYO, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2022. (REAPPOINTMENT)

POSTAL REGULATORY COMMISSION

ROBERT G. TAUB, OF NEW YORK, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR A TERM EXPIRING OCTOBER 14, 2022. (REAPPOINTMENT)

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

MATTHEW LEE WIENER, OF VIRGINIA, TO BE CHAIRMAN OF THE ADMINISTRATIVE CONFERENCE OF THE UNITED STATES FOR THE TERM OF FIVE YEARS, VICE PAUL R. VERKUIL, RESIGNED.

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. CHRISTOPHER W. GRADY

DISCHARGED NOMINATIONS

The Senate Committee on Homeland Security and Governmental Affairs was discharged from further consideration of the following nomination under the authority of the order of the Senate of 01/07/2009 and the nomination was placed on the Executive Calendar:

*SUSAN S. GIBSON, OF VIRGINIA, TO BE INSPECTOR GENERAL OF THE NATIONAL RECONNAISSANCE OFFICE.

The Senate Committee on Homeland Security and Governmental Affairs was discharged from further consideration of the following nomination under the authority of the order of the Senate of 01/07/2009 and the nomination was placed on the Executive Calendar:

*PEGGY E. GUSTAFSON, OF MARYLAND, TO BE INSPECTOR GENERAL, DEPARTMENT OF COMMERCE.

*Nominee has committed to respond to requests to appear and testify before any duly constituted committee of the Senate.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on September 12, 2016 withdrawing from further Senate consideration the following nomination:

BRODI L. FONTENOT, OF LOUISIANA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF THE TREASURY, VICE DANIEL M. TANGHERLINI, RESIGNED, WHICH WAS SENT TO THE SENATE ON FEBRUARY 12, 2015.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. SHERMAN. Mr. Speaker, I voted against H.R. 5063, the Stop Settlement Slush Funds Act of 2016, and voted in favor of amendments that would reduce its scope. I recognize that the power of the Attorney General to impose fines (or civil settlements that have the same economic effect) should normally be used to generate funds for the United States Treasury. Normally the amount paid by the wrongdoer should go to the United States Treasury, and it should be up to Congress to appropriate funds. When appropriate, Congress should provide funds to mitigate the damage done by the wrongdoer. However, the bill that came to the floor of the House was in essence a purely Republican bill with substantial flaws. In particular, it did not provide a mechanism for major settlements to be reviewed and approved by Congress when those settlements provided for payments to third parties. I look forward to working next year on truly bipartisan legislation designed to address the concerns voiced by the supporters of the bill.

KENT OBERT: PHOENIX, ARIZONA

HON. DAVID SCHWEIKERT

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. SCHWEIKERT. Mr. Speaker, Kent Obert, 18 years old, died of an accidental prescription drug overdose in 2003. One night during his sophomore year of high school, Kent called his mother to say that he was out with some friends and wasn't coming home that night. He was calling because he didn't want to worry his mother, but when they hung up she knew something was wrong. Kent's mother waited for him when he came home at 6:00 AM.

Life changed for the Obert family that morning. Kent went to the doctor and tested positive for substances. His family restricted Kent's computer time and monitored his activities. They made a lot of changes that next year and Kent adjusted fairly well. He transferred schools and graduated with ease. Kent got a job he loved and spent time with his friends and family. His family thought they had dodged the bullet—Kent didn't want to be addicted to drugs so they mistakenly thought they were out of the woods. It seemed that all was well, but Kent's family didn't know any better.

Before Kent turned 18, he was scheduled to have his wisdom teeth removed. His mother filled the prescription before his surgery and as she was looking at the bottles, she noticed that one of them had fewer pills in it than the other. When she confronted Kent about it he admitted to having taken some.

She asked Kent why and his answer was chilling. He asked his mother to think about a time in her life when she had felt ''Great''—''The Best.'' When she nodded Kent said, ''The first time you get high, it's better than that. It feels so good that you want to feel that way again—only it's physically, chemically impossible.'' He explained how the drugs alter your brain chemistry and why people take more and increase their frequency of use in an attempt to get back to the feeling of that first high.

On a Monday in September, 2003, there was a knock on the Obert family's door and soon they heard the words: ''Your son has died.''

Kent and two other kids crushed some Oxycontin and washed them down with beer. Kent got sleepy and the other two left. As Kent slept, the drug slowed his respiratory system down until it stopped completely. His roommate found him the next day—already gone.

CELEBRATING THE 250TH ANNIVERSARY OF ST. MICHAEL'S CHURCH

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. DENT. Mr. Speaker, it is an honor to bring to the House's attention the 250th Anniversary of St. Michael's Church, which has served as a place of spiritual refuge, communal gathering, and a historical landmark for the surrounding community of Tilden Township, Pennsylvania.

Located at 529 St. Michael's Road in Tilden Township, St. Michael's Church was originally organized in February 1766, although services were still held in houses and barns. It would be another three years before the congregation would have a physical building donated by Philip Jacob Michael, the namesake of the Church. Michael would leave the Church in May 1777 to be a chaplain in the first battalion under Col. Michael Lindenmuth—one of the original elders of the Church—during the Revolutionary War. As the need for a larger meeting space grew along with the congregation, a decision was made to move the Church to the present-day site in 1810.

Two centuries later, St. Michael's continues to thrive with a robust congregation that carries on a long tradition of engaging with the community through ministry, fellowship, and service.

My heartfelt congratulations are extended to the members of St. Michael's Church on this 250th Anniversary. I am confident that I speak on behalf of the community when I thank them for their efforts on behalf of the people of Tilden Township and Berks County as a whole.

I ask the House to join me in offering well wishes and congratulations to the men and women of Tilden Township's St. Michael's Church. May the next 250 years continue to see congregational growth and meaningful outreach to the surrounding communities.

TRIBUTE HONORING THE COMMISSION OF THE USS MONTGOMERY NAVY SHIP

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to recognize the commission of the USS *Montgomery* into military service as a Navy ship. Alabama's capital city is honored to have another ship to bear its name in the U.S. Navy operating in the U.S. 7th Fleet.

The city of Montgomery is proud to celebrate the second ship named for the state's capital. It is especially noteworthy to have a Navy presence in a predominately Air Force town, and I along with the city of Montgomery and the state of Alabama are honored to know that this U.S. Navy ship from Alabama will go all over the world.

The USS *Montgomery* commissioning has been a six-year process which began in 2010, when it was proposed to Montgomery Mayor Todd Strange. The ship has since been referred to as one of the most technologically advanced warfare systems in the world.

The USS *Montgomery*, an *Independence*-class Littoral Combat Ship (LCS), will operate close to shore providing surface, undersea and mine warfare along with search and rescue missions, maritime surveillance and interdiction, intelligence, amphibious operations and disaster relief.

The ship will support its sister ship, the USS *Independence*, and will operate in the U.S. 7th Fleet and will be under the command of Officer Daniel G. Straub.

I ask my colleagues to join me in recognition of the commission of the USS *Montgomery* into military service as a Navy ship.

COMMEMORATING ACACIA LODGE NO. 586, FREE AND ACCEPTED MASONS ON ITS 125TH ANNIVERSARY

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. SHUSTER. Mr. Speaker, I rise today to commemorate Acacia Lodge No. 586, Free and Accepted Masons, of Waynesboro, PA, on its 125th anniversary.

The Waynesboro community has been fortunate to have the Acacia Lodge No. 586 since it was constituted on May 22, 1891, and today

I congratulate the Lodge for standing as a symbol of brotherly love, relief, and truth for 125 years.

Since the club's chartering, its members have included a diverse group of individuals united in their passion for everlasting fraternal bonds combined with service to community. In that time, hundreds of men have lent their time and talents to improve the quality of life throughout the Waynesboro area. Though much has changed throughout Waynesboro in the past 125 years, the commitment of the Masons has remained steadfast, serving the needs of the local community and remaining dedicated to the betterment of humanity.

Countless meetings, man-hours of work, and events have enabled the Acacia Lodge No. 586 to reach a community presence of which its 1891 founders would be proud. I am grateful for their contributions throughout Pennsylvania's 9th district and would like to thank all who have helped the organization reach this momentous milestone of 125 consecutive years of service.

RECOGNIZING THE TYLER JUNIOR COLLEGE APACHES' 2016 NJCAA DIVISION III WORLD SERIES CHAMPIONSHIP

HON. LOUIE GOHMERT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. GOHMERT. Mr. Speaker, it is with tremendous joy, heartfelt satisfaction, and a humble appreciation that I once again rise and address this chamber in recognition of the Tyler Junior College Apaches Baseball Team. In securing a third straight win of the Division III NJCAA World Series baseball tournament, this championship team of accomplished athletes has shown the unflagging enthusiasm, grit, and moxie found in the best and most industrious individuals.

You may remember that last year I undertook a similar endeavor when the TJC Apaches brought their second straight World Series win back to Tyler, remarking at that time that the 2015 champions were 'doggedly tenacious' in their pursuit—and they most certainly were. But if 2015's champions were doggedly tenacious, the only appropriate characterization for the 2016 TJC Apaches has to be herculean.

The TJC Apaches travelled to Kinston, North Carolina for this year's tournament. From the start, the odds were stacked against them. The TJC Apaches had lost all but 7 of their seasoned veterans from the 2014 and 2015 championship wins, and despite coming into the showdown with 38 wins and only 16 losses, managed to find themselves down 3 runs to 0 in the game that would decide it all. That didn't faze or discourage this team of young men in their quest for excellence, however. With their eyes trained toward the prize and the strength of their camaraderie uniting them, the TJC Apaches turned the game around and emerged the victors.

The TJC Apaches were led by a top notch management team, including: Head Coach Doug Wren; Assistant Coaches Chad Sherman and Taylor White; Training Staff Brett Adams, Shelby Davis, Eddy McGuire, and Spenser Deeken; and Support Staff Colter Dosch and Justin Doelitsch.

Accolades go, of course, to the young men who were on the baseball diamond, including Jace Cambell, Ryan Cheatham, Jonathan Groff, Hunter Haley, AbeRee Heibert, James Kuykendall, AJ Merkel, Chandler Muckleroy, Kyle Porter, Josh Raiborn, Adan Ross, Garin Shelton, Sam Sitton, Weston Smart, Travis Smith, J.P. Gorby, Austin Ballew, Mason Mallard, Brentten Schwaab, Tanner Arst, Luke Boyd, Nathan Methvin, Matt Mikusek, James Phillips, Payton Stokes, Jordan Trahan, Hunter Wells, Jarrod Wells, Colton Whitehouse, Beau Buesing, Austin Cernosek, Alex Masotto, Jared Pauley, Justin Roach, and Tanner Wisener.

Once again, the students at Tyler Junior College have added another terrific chapter to their storied athletic history. Of course, great credit is owed not just to the students, but to the entire staff and leadership network at TJC, including: TJC President Dr. Mike Metke, Athletic Director Dr. Tim Drain, Vice President of Student Affairs Dr. Juan Mejia, Associate Athletic Director Chuck Smith, Assistant Athletic Director Kelsi Weeks, and Administrative Assistant Sherry Harwood.

Naturally, none of the accomplishments of this team would have been possible if not for the supporting families, the terrific enthusiasm of the TJC Apaches' fans, and the positive encouragement of the east Texas community. The solid bedrock these folks provided to the TJC Apaches baseball team undoubtedly helped in their securing of a third World Series win.

It is with great pride that I join the constituents of Texas' First District in extending heartfelt and sincere congratulations to the players and staff of the 2016 NJCAA Division III World Series National Champions, the Tyler Junior College Apaches Baseball Team. Their significant athletic achievement and incredibly laudable legacy is now, and will forever be, recorded in the CONGRESSIONAL RECORD that will endure as long as there is a United States of America.

RECOGNIZING THE OUTSTANDING SERVICE TO THE COMMUNITY OF PORT ANGELES AND THE OLYMPIC PENINSULA BY MR. DWAYNE JOHNSON

HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. KILMER. Mr. Speaker, when most people hear ''Dwayne Johnson'' they think of ''The Rock,'' but I want you to stop and smell what I'm cooking. I rise today to recognize Dwayne Johnson of Port Angeles, WA, an educator and a proud member of the Makah and Lummi tribes, and to congratulate him on receiving the Trustee of the Year Award from the Rural Community College Alliance, a national organization representing over 600 rural community and tribal colleges.

Mr. Johnson has been a member of the Peninsula College board of trustees since 2006 and has twice served as chairman. Between 2008 and 2012, when the college faced the challenge of an unprecedented increase in enrollment amid cuts to funding and increased tuition rates, Mr. Johnson and his fellow board members provided critical support to the staff and administration of Peninsula College. When Peninsula College had to navigate difficult budget decisions, Mr. Johnson was key in engaging the local community to explain the need for some of these changes.

In his other capacity, Mr. Johnson serves as athletic director for the Port Angeles School District. The Washington Interscholastic Activities Association recognized Mr. Johnson's accomplishments in youth sports by naming him 2016's League Athletic Director of the Year for the Olympic League. The Washington Secondary School Athletic Administrators Association also recently recognized his work with their Outstanding Service Award. As a graduate of Port Angeles High School, I've personally seen the investment he makes in young people. It's a difference-maker. As athletic director, Mr. Johnson encourages his students to strive for excellence in both sports and education, urging them to ultimately reach for the next bar in their educational journey. Many of these students pursue higher education at Peninsula College.

Furthermore, as a member of the Makah and Lummi tribes, Mr. Johnson has devoted his energies to projects—including the building of the House of Learning Longhouse—that have encouraged more members of local tribes to participate in the life of Peninsula College. As a result of his efforts, enrollment rates of Native American students at Peninsula College have never been higher.

Mr. Speaker, it is an honor to represent a dedicated community leader and friend who is truly a rock for so many young people in our region. I am grateful for his efforts and dedication and am proud to recognize Mr. Johnson's achievements today in the United States Congress.

PERSONAL EXPLANATION

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Ms. SEWELL of Alabama. Mr. Speaker, during Roll Call votes held on September 12, 2016, I was inescapably detained handling important matters related to my District and the State of Alabama. If I had been present, I would have voted Yes on H. Res. 847 and Yes on H. Res. 835.

GOLD STAR FAMILIES VOICES ACT

SPEECH OF

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2016

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in support of H.R. 4511, the Gold Star Families Voices Act. This bill will allow Gold Star Families to share their stories with the Veterans History Project, and to be remembered for generations to come.

Gold Star families exhibit tremendous strength as they continue on without their loved ones. They deserve to have their voices heard and recorded to the Veterans History Project, to tell their children's courageous, heroic and meaningful stories for them. Our fallen should not be forgotten, and their stories

must be memorialized to share with future generations.

When I think of the strength that Gold Star Families exhibit, I immediately think of Ray and Leesa Philippon and their family. Their son, Lance Corporal Lawrence R. Philippon tragically lost his life on May 8th, 2005, on Mother's Day and Leesa and Ray's anniversary.

Lance Corporal Philippon committed to fighting for his country shortly after the 9/11 terrorist attacks. He was a part of the Washington D.C. Color Guard, and bravely gave up his position to join the 3rd Battalion Second Marines as an infantryman. They were deployed to Al Qaim, Iraq. Lance Corporal Philippon was killed in action when he was only 22 years old.

The Philippon family has taken their grief and found strength. They have founded the Lance Corporal Lawrence R. Philippon Memorial Fund, which presents awards to local high school students and has funded 200 cleft palate surgeries through Operation Smile.

They have made it their mission to share their son's story, and help other families to remember their sons and daughters who were lost too soon in war. They recently helped organize the visit of the Global War on Terror Wall of Remembrance to their hometown, West Hartford, CT, to help families heal.

I would also like to recognize another Gold Star Mother, Mary Kight. Mary Kight is the President of the Connecticut Chapter of the American Gold Star Mothers, Inc. She lost her son Michael while he was deployed to Vietnam in 1967. He had been a helicopter pilot and was killed in a helicopter accident, three months after being deployed.

Mary struggled with coming to terms with Michael's death. The anti-Vietnam War movement made her feel like Michael had lost his life for nothing. She didn't join the Gold Star Mothers for decades, but she has now found comfort in them.

Gold Star Families like the Philippons and the Kights deserve to have their loved ones' stories told, to memorialize their sons and daughters, but also to help their families heal.

On October 25th, a memorial will be revealed that is dedicated to Gold Star Mothers at the Aberdeen Proving Ground in Maryland. This statue of a Gold Star Mother is joining the Fallen Star Memorial there.

In addition to honoring our Gold Star Families with physical memorials, we should also honor their words and stories.

I strongly support the Gold Star Families Voices Act. This bill will give the Gold Star Families the important opportunity to share their memories of our fallen. These service members have given the ultimate sacrifice, and we owe them the opportunity to have their voices heard, even though they can no longer tell their own stories.

I want to thank Congressman CHRIS SMITH for his hard work on this bill, to honor those who have fallen.

I strongly support this legislation and urge my colleagues in the Senate to quickly pass this bill so it can be sent to the President's desk.

JUSTICE AGAINST SPONSORS OF TERRORISM ACT

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 9, 2016

Ms. JACKSON LEE. Mr. Speaker, this Sunday will mark the 15th year since that day our nation faced the greatest loss of life on U.S. soil from a terrorist attack.

The years that have passed since that day have not dimmed my memory or diminished my resolve to see an end to terrorism not only in the United States, but around the world.

As a Member of Congress and a senior Member of the Committees on Homeland Security and the Judiciary, both of which deal with national security issues, I have long been committed and engaged in efforts to develop policies that anticipate and respond to new and emerging challenges to the security of our nation and the peace and safety of the world.

I will never forget September 11, 2001 when 2,977 men, women and children were murdered by 19 hijackers who took commercial aircraft and used them as missiles.

I stood on the East Front steps of the Capitol on September 11, 2001, along with 150 members of the House of Representatives and sang ''God Bless America.''

I visited the site of the World Trade Center Towers in the aftermath of the attacks and grieved over the deaths of so many of our men, women, and children.

I want to thank and commend the work of our first responder community on that day and every day since September 11 for their efforts to protect their communities and our nation from acts of terrorism.

Mr. Speaker, September 11, 2001 will always be remembered as a day of tragedy and heroism, heartbreak and courage, and shared loss.

But the loss remains especially painful to those whose loved ones died or were injured by the criminal acts of terrorists on that fateful day.

They remain in our thoughts and prayers and they have our sympathies.

Mr. Speaker, this past July the Judiciary Committee, upon which I sit, held a hearing on S. 2040, the ''Justice Against Sponsors of Terrorism Act,'' at which the bill's supporters offered powerful and compelling testimony in favor of insuring that 9/11 families have access to their day in court against the parties directly and vicariously liable for the injuries they suffered.

The ''Justice Against Sponsors of Terrorism Act,'' amends the Foreign Sovereign Immunities Act of 1976 to create a new exception to the Act's general grant of foreign sovereign immunity.

As the Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigation, I am committed to doing all that I can to ensure that they receive their day in court.

I am sensitive, however, to the concerns raised by the Administration regarding unintended consequences that may result if the bill is passed in its current form.

In particular, the Administration, allied nations, and others point out that enactment of S. 2040 in its current form may lead to retaliation by other countries against the United States.

Additionally, the Administration raises the legitimate concern that if enacted in its current form, S. 2040 may hamper cooperation from other nations because they may become more reluctant to share sensitive intelligence out of fear that such information may be disclosed in litigation.

I am confident, however, that these legitimate concerns can be addressed and resolved as the legislation makes its way through the legislative process and I look forward to working with the Administration and the bill's sponsors and supporters to craft acceptable legislation that can be presented to the President for signature.

I thank the House and Senate sponsors of this important legislation, my colleagues Congressmen PETER KING and JERROLD NADLER of New York, and Senators JOHN CORNYN of Texas and CHARLES SCHUMER of New York, for their tireless efforts on behalf of fairness and justice for the 9/11 families.

TRIBUTE TO EARLHAM LION'S CLUB

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Earlham Lion's Club for being honored as the 2016 Citizens of the Year at the Earlham Freedom Fest.

Earlham Lion's Club was chartered on June 1, 2009 and have since faithfully served their community. They provide eyesight screenings and collect used eye glasses for use on missions in developing countries. Earlham Lion's club members have provided a free community Thanksgiving dinner and provide school supplies for children in need along with a number of other programs.

Mr. Speaker, I know that my colleagues in the United States Congress join me in congratulating the Earlham Lion's Club for being selected as the 2016 Citizens of the Year. It is an honor to represent them in the United States House of Representatives and I wish them all nothing but continued success.

CAMPUS FIRE SAFETY MONTH

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. PASCRELL. Mr. Speaker, I rise today to recognize Campus Fire Safety Month during the month of September.

I first became involved in the issue of campus fire safety following a tragic fire at Seton Hall University, in which three students were killed. Since that time, we have made many strides, including the passage of the Campus Fire Safety Right to Know Act, which will ensure that prospective students and their families are provided with the fire safety records, information and statistics of colleges and universities.

Last academic year, there were no college-related fire deaths anywhere in the U.S. for

the first time since 2000—an incredible drop from when 20 people were killed in 2006–2007. This progress can be attributed to the commendable efforts of fire departments, schools, and communities coming together to address this serious problem.

According to the United States Fire Administration, 94 percent of college-related fire deaths happen in off-campus housing, where most students live. Through greater awareness and education, both students and parents are able to make informed decisions on choosing fire-safe housing that includes smoke alarms and two ways out. Students are more aware of how their actions can avoid having a fire happen in the first place and what to do if one does occur. This not only helps save their lives, but also the lives of their roommates and the fire fighters who are responding.

By teaching college students about fire safety, we are teaching them not only how to be fire-safe during their time in college, but also for the rest of their lives. By creating a fire-safe generation now, we can make society safer for the future and reduce the tragic impact of fire. In the U.S. approximately 3,000 people die in fires every year.

It is my sincere hope that college campuses in New Jersey and across the nation will participate in Campus Fire Safety Month activities throughout September. We must do all that we can to keep our nation's students safe and informed. This is also why I introduced the Campus Fire Safety Education Act, to provide universities with grants they can use to develop or implement campus fire safety education strategies. We must do everything in our power to ensure the safety and security of our children when they leave for college.

I want to commend all of those who are working to make our campuses and communities better places to live, because fire safety is everyone's fight. Fire safety on campus today means a fire safe nation for tomorrow.

TRIBUTE TO THE STUDENTS OF YUMA HIGH SCHOOL

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. BUCK. Mr. Speaker, I rise today to recognize the dedication and achievements of the students of Yuma High School.

In memory of Eliza Routt and her tireless commitment to public service, Colorado and Secretary of State Wayne Williams have created the Eliza Prickell Routt Award. This award recognizes high school students who register 85 percent or more of their senior class to vote and commends the outstanding dedication of students who are participating in civic engagement.

This year, the recipient of the Eliza Prickell Routt Award is Yuma High School. This student body has shown their commitment to strengthen our democracy and improve our ability to govern. The efforts made by these high school students are significant, and we should applaud them as their accomplishment will better our nation for future generations.

It is truly inspiring to see the next generation, represented by these students, striving for a better future. Yuma High School, and these young men and women, embody the values that make America exceptional. I would like to extend my sincerest congratulations in this achievement and their acceptance of the Eliza Prickell Routt Award.

Mr. Speaker, it is an honor to recognize Yuma High School and its students for their commitment to democracy and the United States of America.

PERSONAL EXPLANATION

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. FRELINGHUYSEN. Mr. Speaker, on Roll Call Number 491, on the motion to suspend the rules and agree to H. Res. 660, Expressing the sense of the House of Representatives to support the territorial integrity of Georgia, I am not recorded. Had I been present, I would have voted Aye.

TRIBUTE TO JUDY WEDEMEYER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Judy Wedemeyer for receiving the Distinguished Service Award from the Casey Service Club.

Ms. Wedemeyer was recognized at the Casey Fun Day celebration on July 9, 2016. Judy Wedemeyer and Nita Fagan currently serve as co-presidents of the Casey Service Club and are active members of the Casey Historical Society. They have given many hours to researching and writing the "Memories of Casey" column for The Adair News and are responsible for spearheading the Hearts of Gold Fundraiser campaign.

Mr. Speaker, I know that my colleagues in the United States Congress join me in commending Judy Wedemeyer for her service to Casey and congratulate her on this award. It is an honor to represent her in the United States House of Representatives and I wish her nothing but the best in her future endeavors.

RECOGNIZING THE McLANEY FAMILY AS THE 2016 OKALOOSA COUNTY, FLORIDA, FARM FAMILY OF THE YEAR

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. MILLER of Florida. Mr. Speaker, it is with great pleasure that I rise to recognize the McLaney Family of Laurel Hill for being selected as the 2016 Okaloosa County, Florida, Outstanding Farm Family of the Year.

Although Joel McLaney was previously an electrician by trade, farming has been a part of the McLaney family for three generations. When Joel transitioned into farming full time, he purchased 83 acres of land from his grandfather who was involved in the poultry industry. For many years, Joel raised poultry in five chicken houses, and today on 300 acres, the McLaneys raise cattle and grow a variety of crops, including: cotton, peanuts, and hay.

Joel and his wife Gena of 25 years have two children, Josh, who is a senior at the University of West Florida, and Kaylyn, a senior at Laurel Hill High School, within whom they have instilled the value of hard work and to whom they plan to pass on the farm to continue the McLaney family farming tradition.

Aside from their time on the farm, Joel is a bus driver and Gena is a teacher. The McLaneys are also active members of Auburn Pentecostal Church and the Farm Bureau.

Mr. Speaker, the Okaloosa County Outstanding Farm Family of the Year Award is a true reflection of the McLaneys' tireless work and their dedication to family and farming. On behalf of the United States Congress, I would like to offer my congratulations to the McLaney family for being outstanding in their field. My wife Vicki and I extend our best wishes for their continued success.

CONGRATULATING DAVE ALI FILS-AIMÉ AND BASKETBALL TO UPLIFT THE YOUTH (BUY)

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Ms. WILSON of Florida. Mr. Speaker, I rise today to congratulate Mr. Dave Ali Fils-Aimé on the third anniversary and success of Basketball to Uplift the Youth (BUY). Using basketball as a tool, BUY provides year-round mentorship for school-aged boys and girls in Haiti. The program combines basketball and education to encourage teamwork, promote healthy lifestyles, build leadership skills, and promote the value of service.

Fils-Aimé, a graduate of Yale University and Harvard University, left Haiti for the United States at the age of twelve. As a former participant of the 5000 Role Models of Excellence Project, a drop-out prevention and mentoring program I started nearly 25 years ago in South Florida, Fils-Aimé is a walking embodiment of what it means to be a role model. Using his experience with 5000 Role Models and his passion for Haiti's youth, he created Basketball to Uplift the Youth in July 2013.

Since its inception, BUY has engaged youth from some of Port-au-Prince's most disadvantaged neighborhoods. The program works to mold young, well-rounded individuals in Haiti. There are also plans to expand the program by establishing a scholarship fund. Fils-Aime's leadership and commitment to excellence have allowed the program to flourish in its three years.

Mr. Speaker, I ask you to join me in congratulating Dave Ali Fils-Aimé for his success and commitment to serving Haiti's youth, and the achievements of Basketball to Uplift the Youth.

TRIBUTE TO REAR ADM. ART CLARK, USN (RET.), DEPUTY LAB DIRECTOR, IDAHO NATIONAL LABORATORY

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. SIMPSON. Mr. Speaker, I rise today to honor Rear Admiral Arthur Clark, an extraordinary leader with 45 years of experience in management of large operations, in the U.S. Navy and at the Department of Energy's Idaho National Laboratory.

Born and raised in Ohio, Rear Admiral Clark served two tours in Vietnam as an in-country advisor, and was one of the last U.S. military personnel to leave in 1973. From there, he went on to hold leadership roles that transformed the U.S. Navy at the end of the 20th century. He was project coordinator for the construction of *California*- and *Virginia*-class guided missile cruisers, which integrated nuclear reactors and advanced combat systems into the world's most advanced surface ships. As Commander of the Puget Sound Naval Shipyard, he led the first program for reactor compartment disposal of the first 28 nuclear reactors to long-term, environmentally safe storage. He also developed recycle disposal of nuclear submarine and ship hulls. As Director of Fleet Maintenance of the U.S. Atlantic Fleet during Operation Desert Shield/Desert Storm he developed innovative maintenance processes that contributed to success in Bosnia and the Second Gulf War.

After retirement from the Navy, Admiral Clark served two years as president of B&W Hanford Co., where he was responsible for the decommission and inactivation of numerous World War II legacy nuclear material production facilities. These included the PUREX and B Plant. He also started the thermal stabilization of 43 metric tons of excess weapons grade plutonium stored in the Plutonium Finishing Plant at Hanford, Washington.

Art then accepted an assignment as Vice President and Director of Site Operations at the Idaho National Environmental and Engineering Laboratory. His work there led to the inactivation and cleanup of legacy nuclear facilities including several nuclear research reactors and spent fuel pools. He oversaw processing of the debris from the Three Mile Island reactor accident for interim safe storage, and also delivered the first 3,100 cubic meters of trans-uranic material left over from the Rocky Flats weapons production facility to underground storage in New Mexico. Art was responsible for design, construction, and start-up of the Advanced Retrieval Project, which is being used for cleanup of the laboratory's TRU buried waste disposal site.

Art served six years as Deputy Laboratory Director for Operations at the Idaho National Laboratory, the nation's lead nuclear laboratory, where he had responsibility for overseeing the safe operation of the laboratory's nuclear facilities, including the Advanced Test Reactor (ATR), the nation's most versatile irradiation test facility. He helped direct the development of the Next Generation Nuclear Plant, a high-temperature gas reactor designed for process heat applications. He currently serves as Senior Technical Advisor to the Laboratory Director, with a focus on important cross-cutting and strategic initiatives.

He holds a master's degree in Industrial Management from George Washington University and a bachelor's degree in Mechanical Engineering/Marine Engineering/Naval Architecture from Virginia Tech. He is also a graduate of the University of Virginia Executive Program.

It is a great honor to congratulate Admiral Clark on his remarkable career of achievement. Art represents the best of the many talented people in the Navy and the National Laboratory complex whose knowledge and skill have been essential to keeping our nation strong and secure. Thank you, Admiral Clark for your service to our nation, and congratulations on your many accomplishments.

TRIBUTE TO MARJORIE AND JAMIE BENOIT

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Marjorie and Jamie Benoit on the very special occasion of their 60th wedding anniversary.

Jamie and Marjorie were married on July 15, 1956 in Long Beach, California and now make their home in Creston, Iowa. Their lifelong commitment to each other and their family truly embodies Iowa's values. As the years pass, may their love continue to grow even stronger and may they continue to love, cherish, and honor one another for many more years to come.

Mr. Speaker, I commend this lovely couple on their 60 years of life together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

PERSONAL EXPLANATION

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. WITTMAN. Mr. Speaker, I missed a recorded vote on September 7, 2016. Had I been present, I would have voted "NO" on roll call vote No. 484, Cicilline of Rhode Island Amendment No. 2.

HONORING DR. BHAGWATI J. MISTRY

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. ENGEL. Mr. Speaker, I rise today to honor a dear friend, Dr. Bhagwati J. Mistry, who is being honored with the D. Austin Sniffen Medal of Honor for 2016 by the Ninth District Dental Association.

Born on February 17, 1953 in the City of Ahmedabad, India, BJ as she is better known was the youngest of five children born to Laxmichand and Shakriben Gajar. Her parents were always supportive, especially her mother who would often encourage BJ to go into medicine, as it was "the best profession to serve." From humble beginnings, BJ went on to complete her schooling and attend the Government Dental College in Ahmedabad. Soon she met the love of her life and future husband, Jagdish Mistry, and following their marriage in 1977 they emigrated to the United States in 1978. Following graduation from the Government Dental College in India, BJ entered a Postgraduate Pediatric Dentistry program at the College of Medicine and Dentistry of New Jersey. In 1982, she established a thriving Pediatric Dentistry practice in Tarrytown New York, "Pediatric Dental Care of Westchester." In 1991, BJ became a Diplomate of the American Board of Pediatric Dentistry. In 2005, her work was recognized by the American Dental Association (ADA) which awarded BJ the Best Grassroots Team Leadership Award.

But no recognition is as important to BJ as her family. She and Jagdish have been happily married for almost 40 years, and together they have raised two wonderful and accomplished daughters, Nisha and Shivani.

I have known BJ for many years, and I treasure our friendship together. She is incredibly deserving of this honor, and I want to congratulate her on this joyous occasion.

TRIBUTE TO THE 2016 JOHNSTON LITTLE LEAGUE BASEBALL WORLD SERIES TEAM

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Johnston Little League Baseball World Series Team for winning the Midwest Regional Little League Championships. This team, comprised of 14 young men, was also one of only eight teams to represent the United States in the Little League World Series and performed admirably. They placed fourth in the United States and 7th place in the world.

Mr. Speaker, the example set by these young men and their coaches demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent them and their families in the United States Congress. I know all of my colleagues in the United States House of Representatives join me in congratulating these young people for competing in this rigorous competition and wishing them all nothing but continued success.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $19,482,086,271,333.82. We've added $8,855,209,222,420.74 to our debt in 6

years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. GRIFFITH. Mr. Speaker, on roll call no. 495 on motion pass H.R. 5424, the Investment Advisers Modernization Act of 2016, I was detained.

Had I been present, I would have voted Yea.

FIRST RESPONDERS

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mrs. BLACKBURN. Mr. Speaker, fifteen years ago yesterday, we all remember where we were when we first heard a plane had hit the North Tower of the World Trade Center. We also remember that solemn moment when we saw the second plane hit. We knew instantly that our country would never be the same. As we were just beginning to understand the gravity of what had happened, there were men and women who already were in action to prevent further loss of life. Air traffic controllers took the unprecedented action of clearing our nation's airspace of over 4,452 aircraft. Within hours, the FBI had determined who was responsible for perpetrating the terrible acts. Passengers on Flight 93 forced their own plane into a field in Shanksville, Pennsylvania to avoid it being used as a weapon against the White House or the Capitol building.

The most powerful images we saw that day were the first responders. As people were running from the World Trade Center towers and the Pentagon toward safety, men and women in uniform were heading in the opposite direction to save as many people as possible from burning and collapsing buildings. At that moment, their bravery, instinct and training took over. Those professionals knew that they may be giving their lives to save others. It is fitting that this tribute to the first responders of Brentwood is dedicated on this most somber of days. Brentwood Fire and Police first responders are no different than the men and women we witnessed sacrificing themselves on 9/11. Their bravery, training and character is no different. They help keep us safe. Through doing so, they protect our freedom.

Thank you to the City of Brentwood, Leadership Brentwood and the businesses who have made this Honor Garden possible. It will serve as a constant reminder of the service and sacrifice of a few who protect so many.

TRIBUTE TO SHAROL AND DON STEINBECK

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Sharol and Don Steinbeck of Griswold, Iowa on the very special occasion of their 60th wedding anniversary.

Sharol and Don's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 60th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 60th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

RECOGNIZING FLORIDA'S 16TH CONGRESSIONAL DISTRICT FIRE AND RESCUE AND EMS PERSONNEL

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. BUCHANAN. Mr. Speaker, I rise today to recognize fire and rescue and EMS personnel who have provided distinguished service to the people of Florida's 16th Congressional District.

As first responders, fire departments and emergency medical service teams are summoned on short notice to serve their respective communities. Oftentimes, they arrive at scenes of great adversity and trauma, to which they reliably bring strength and composure. These brave men and women spend hundreds of hours in training so that they are prepared when they get ''the call.''

In 2012, I established the 16th District Congressional Fire and Rescue and EMS Awards to honor officers, departments, and units for outstanding achievement.

On behalf of the people of Florida's 16th District, it is my privilege to congratulate the following winners, who were selected this year by an independent committee comprised of a cross section of current and retired fire and rescue personnel living in the district.

Battalion Chief Scott Blanchard of the City of Venice Fire Department was chosen to receive the Above and Beyond the Call of Duty Award.

Firefighter Christopher Carver of the North River Fire District was chosen to receive the Above and Beyond the Call of Duty Award.

Chief Brian Gorski of the Southern Manatee Fire and Rescue District was chosen to receive the Career Service Award.

Lieutenant David Hawes of the North Port Fire Rescue District was chosen to receive the Above and Beyond the Call of Duty Award.

Engineer Mathew Redmond of the North River District was chosen to receive the Above and Beyond the Call of Duty Award.

HONORING PROSPECT HEIGHTS FIRE CHIEF DONALD GOULD, JR.

HON. ROBERT J. DOLD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. DOLD. Mr. Speaker, I rise today to recognize the career and contributions of Prospect Heights Fire Chief Donald Gould, Jr.

The Prospect Heights Fire Department made great strides under Chief Gould's leadership. When he took over as chief, there were no full-time firefighters in the district. The Prospect Heights district only consisted of volunteers and part-time staff. As of today, there are 15 full-time firefighters and 35 part-time members.

Chief Gould leaves Prospect Heights with an outstanding professional fire force that continually seeks to meet the community's public safety needs.

Mr. Speaker, along with the citizens of Prospect Heights, it is an honor today to express our deepest appreciation to Fire Chief Donald Gould, Jr. for his 49 years of service with the Prospect Heights Fire Protection District.

TRIBUTE TO NAOMI AND GENE HACKWELL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Naomi and Gene Hackwell of Anita, Iowa, on the very special occasion of their 60th wedding anniversary. They celebrated their anniversary on July 9, 2016.

Naomi and Gene's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 60th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 60th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

HONORING MATTHEW A. TAYLOR

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. ENGEL. Mr. Speaker, I rise today to honor a wonderful young man in my district, Matthew A. Taylor, who was recently conferred the rank of Eagle Scout, the highest achievement or rank attainable, by the Boy Scouts of America on May 31st, 2016.

Matthew's hard work and dedication has been evident throughout his Boy Scout career, culminating with an Eagle Scout project that was exceptional in its scope and accomplishments. Matthew focused on helping to improve the Thomas Paine Cottage Museum, the last

structure in North America that the Founding Father owned as his home and is open to the public as a historic house museum, in New Rochelle. Matthew's efforts to help update and restore key elements of the cottage included scraping, sanding, and repainting the wooden porch at the cottage's front entrance as well as the entrance door and railing at the rear of the cottage; repairing loose stone and broken mortar joints on the property's stone pedestrian bridge; power-washing the bridge; and cleaning up debris from the creek. His work was instrumental in maintaining and preserving the property, which in turn helps to perpetuate and promote the rich history of the City of New Rochelle.

But Matthew's project was only one facet of his work and ambition. He has committed his life to making a positive impact on his community and the people around him, and his attaining the rank of Eagle Scout is proof of that dedication and commitment.

On September 10, 2016 Matthew and his family celebrated his Court of Honor with a wonderful award ceremony. I want to congratulate Matthew on this tremendous honor and personally thank him for all he has done to better his community.

PERSONAL EXPLANATION

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. SAM JOHNSON of Texas. Mr. Speaker, I submit the following with regard to missed votes on the week of September 4, 2016.

On Roll Call number 479, had I been present I would have voted Yes.

On Roll Call number 480, had I been present I would have voted Yes.

On Roll Call number 488, had I been present I would have voted Yes.

On Roll Call number 491, had I been present I would have voted Yes.

On Roll Call number 493, had I been present I would have voted Yes.

On Roll Call number 495, had I been present I would have voted Yes.

TRIBUTE TO JUDY AND JERRY FULLER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Judy and Jerry Fuller of Council Bluffs, Iowa, on the very special occasion of their 50th wedding anniversary. They were married on July 9, 1966 at First Assembly of God Church in Council Bluffs.

Judy and Jerry's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 50th armiversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

HONORING 9/11 VICTIMS OF NEW JERSEY'S THIRD CONGRESSIONAL DISTRICT

HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. MACARTHUR. Mr. Speaker, upon the 15th anniversary of the September 11th Terrorist Attacks, I rise today to honor all the victims of that horrible day, and specifically, those of New Jersey's Third Congressional District. Innocent loved ones were stolen far too soon from family and friends, and brave first responders were lost in the line of duty in the wake of the attacks.

The love that we demonstrated for our fellow citizens in the aftermath of the attacks was the ultimate rebuke to the hatred of those who attacked us fifteen years ago. I stand today, overwhelmed with that same love and feeling of unity. Today, I would like to especially remember these New Jersey residents:

Manuel Alarcon of Medford
Peter Apollo of Waretown
Brett Bailey of Brick
Nicholas Bogdon of Pemberton Borough
Christopher Cramer of Stafford
Michael Diehl of Brick
Patricia Fagan of Toms River
Joan Griffith of Willingboro
Leroy Homer of Evesham
Gricelada James of Willingboro
Robert Kennedy of Toms River
Ferdinand Morrone of Lakewood
Jon Perconti of Brick
James Sands, Jr. of Brick
Raphael Scorca of Beachwood
Lesley Thomas of Brick
Christopher Traina of Brick
Perry Thompson of Mount Laurel
Lee Adler of Springfield
JoAnn Heltibridle of Springfield
James Murphy of Point Pleasant

This anniversary should remind us that the American way of life stands for freedom and the firm belief that people can govern themselves through free exchange of ideas and respect for one another. We do not bend to those who rule by oppression, violence, and fear and that will never change. This anniversary reminds us that we can band together, that we have done so in the past and that we will continue to do so going forward, in the spirit of our nation. Today, we move forward together in honor of those that were lost on that terrible day, united as one, determined to prevent such terrible tragedy from occurring again.

Mr. Speaker, the people of New Jersey's Third Congressional District are tremendously honored to have had each and every one of these victims as selfless and dedicated members of their communities. It is with a heavy heart that I commemorate their lives, and recognize the lasting legacies that they have left behind, before the United States House of Representatives.

HONORING ANTHONY A. NICHOLS

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. QUIGLEY. Mr. Speaker, I rise today to recognize Anthony A. Nichols, the President and CEO of Central Federal Savings and Loan Association of Chicago. For over one hundred years, Central Federal Savings has provided financial services to communities in Chicago and the surrounding suburbs. Mr. Nichols has served as President of Central Federal Savings of Chicago for the past 48 years and has led the bank through economic downturns and other challenges to become one of the strongest in the nation.

During Mr. Nichols' tenure as President of Central Federal Savings, he has wisely guided the bank through difficult economic conditions that has led to the failure or consolidation of many other community banks. As of today, Central Federal Savings holds a 5-star rating from Bauer Financial and in every regulatory examination that the bank has undergone during the past fourteen years, it has been rated ''outstanding'' for its Community Reinvestment Act lending.

Outside of his professional life, Mr. Nichols has devoted a substantial part of his personal time to giving back to his community. He has served on the boards of most of the local chambers of commerce in his area and was one of the founders of the Lincoln-Belmont Businessmen's Association; now the Lakeview Chamber of Commerce. He also serves as a Director of the Chicagoland Association of Savings Institutions, as a Director of the Illinois Savings and Loan League, and as a leader in many other financial and business organizations in Chicago.

In addition to those organizations, Mr. Nichols serves on multiple committees for Saint Joseph Hospital, including as President of their Associates Board and Vice President of the Hospital Foundation. In addition, he serves as the President and a Trustee of St. Andrew Greek Orthodox Church, a Trustee of the Greek Orthodox Diocese of Chicago, a Director for Greek Star Newspaper, a Director and the Treasurer for the Hellenic Foundation, among many other positions.

Mr. Speaker, I ask all of my colleagues to join me in recognizing all of the great work Anthony Nichols has done for his community. Mr. Nichols has proudly served Chicagoland in both his professional and personal life in order to make his community a better place for everyone. I wish to thank him for his many years of service.

HONORING MARIAN LUPU

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. GRIJALVA. Mr. Speaker, I rise today in honor of Marian Lupu, a zealous warrior for the elderly, who died on Sunday, August 14, 2016 at age 91 at her home in Tucson, AZ. Marian's impact on the field of aging and the development of programming designed to help older adults cannot be over-estimated. She pioneered efforts to improve services to the elderly through both the development of model

programs and the influence of local, state, national and even international policy. She originated or advanced many health and social care delivery models for older persons that have been widely replicated.

Born in Chicago, Marian grew up during the Great Depression in an observant Jewish household. Her education may have sewn the early seeds for her advocacy approach. She took one of the first courses ever taught on aging when she was a graduate student at the University of Chicago and was a student of famed community organizer Saul Alinsky. ''I soon decided,'' she said, ''that all the research in the world wasn't going to help the aging population unless it provided services and advocacy.'' After completion of a degree in industrial relations, she worked for the National Opinion Research Center at the University of Chicago, first as an interviewer, and then a supervisor of a nationwide, multi-year survey about issues facing the elderly.

Marian married Charles Lupu in Chicago in 1948. Their nearly sixty year union was a source of great joy and stability for her. Charles was unusual for the era in being completely supportive of his wife's professional career, never looking at her accomplishments as in any way diminishing his own. After living in Chicago, New Orleans, Charlottesville, and Pittsburgh, they settled in Tucson in 1966. A child of the Great Depression, Marian could never quite believe her good fortune in actually buying a house—her first—when she and her husband moved to Tucson. It was located in the now historic Harold Bell Wright neighborhood and she delighted in finding old copies of Harold Bell Wright's once popular novels at yard sales and flea markets.

Shortly after moving to Tucson, Marian became the founding executive director of the Pima Council on Aging (PCOA). When she retired from PCOA in 2007 at the age of 82, she had the distinction of being the longest serving Area Agency On Aging Executive Director in the nation. But it was not so much the length of her tenure as the tenacity and skill of her advocacy that won her wide recognition and admiration. She saw the increasing ranks of the older population not as a problem, but as a resource. In 1978, when she was president of the Western Gerontological Society (now the American Society on Aging) she said, ''I don't see increasing number of elderly persons as a problem . . . Just as we changed from a frontier society to a manufacturing and agricultural society, we will change . . . because the demographics of our country are changing.'' The older population will be ''pioneers, thinkers and dreamers for the future.''

An early demonstration program developed in 1972 through Marian's leadership at the Pima Council on Aging, and funded in part through the Model Cities Program of President Lyndon Johnson's Great Society, served to define the now common concept of continuum of care. Central to the delivery system was the idea that each person participating in the program would be assigned a facilitator—a social worker responsible for identifying what services were needed, arranging for service delivery, and monitoring appropriateness of care. The services selected as most critically needed by Pima County residents included health-homemaker, home delivered meals, social and nutrition services, day care, and transportation.

Other innovative programming that Marian helped develop and implement included comprehensive adult day health services, senior socialization and nutrition programs in senior centers, senior art fairs (the ''Sun Fair'' in Tucson), the role of case managers in coordinating multiple services for older adults offered through a variety of providers, living environments for older adults that accommodate for sensory changes, and comprehensive hospice care.

Many of these programs were developed in concert with other community leaders, with academic partners at the University of Arizona, especially Dr. Theodore Koff, and with elders themselves. Her career-long association with Dr. Koff was an unusually strong example of academic/community partnership.

Marian was well known in the halls of Congress, in the Arizona state capitol, and in county and city agencies. Whenever an issue of concern to the elderly arose, she would make sure that the galleries were full of senior citizens willing to speak out. Former Tucson Mayor Lew Murphy recalled in a 2003 interview with the Arizona Daily Star this well-known tactic of Marian's in advancing funding for seniors. She was relentless. ''Marian, just tell us what you want, and we'll get this over with,'' Murphy would direct her.

Marian's early success in building a model network of services in Tucson was showcased in a 1976 Working Paper of the Special Senate Committee on Aging, which highlighted many Tucson agencies working together to deliver adult day care, home care, and special transportation at a time when these services were novel. Marian attended four White House Conferences on Aging in 1971, 1981, 1995 and 2005 and made many other trips to Washington D.C. to advocate for senior services.

She relished telling the story of how she had chided President Carter during one of those trips to Washington. Nelson Cruikshank, President of the Federal Council on Aging, had arranged for a number of senior advocates to meet with the president. They had 15 minutes. The President entered the room and began speaking about the Panama Canal treaty, which was very much on his mind at the time. The clock was ticking and Marian was anxious that the allotted time would soon run out. As soon as she could, she rose and vigorously told the President, ''We are here to talk about what seniors need, not the Panama Canal, and we don't have much time left.'' Years later, she was on an airplane when President Carter emerged from first class, started walking down the aisle, greeting passengers and shaking hands. When he got to the row where Marian was sitting with her husband Charles, he paused, turned to Charles and said, ''You must be a very patient man.'' Charles demurred and asked why he said that. President Carter replied, ''This woman here is the only one besides Helen Thomas who dared to interrupt me and shake her finger at me while I was in the White House.''

Marian made an impression on many of the politicians who worked with her because she built bridges and expected cooperation across customarily divisive lines. She found ways to bridge differences between political parties, government and business, ethnic communities, academia, and service delivery. In an era before conference calls were ubiquitous, she was known for having two phone lines on her desk. She would call up someone at the state level on one phone and someone at the federal level on another phone. She would say ''Washington—you say X, State you say Y. What am I supposed to do here in Pima County? I need to resolve this regulatory problem in order to. . . .'' Soon enough, she would get a resolution to whatever was impeding the latest innovative idea she wanted to put in place in Tucson.

Her contributions on the local, state and national level have been recognized as significant by those who understand the impact of her efforts and accomplishments in helping to improve the lives of many thousands of individuals and multi-generational families. Numerous awards decorate the halls of her home, but it was clear to all that she did not pursue her fierce advocacy in order to gain personal recognition, but in order to fight ageism, improve the lives of elders themselves and of the families that love them, and create an age-friendly society. She thoroughly believed the PCOA motto, ''If aging is not your issue now, it will be.'' Whenever someone said to her, ''you don't look 60 (or 70 or 80 or 90), she would reply, ''This is what (60, or 70, or 80 or 90) looks like!''

When Marian retired from PCOA at the age of 82, she took her own advice and began an ''encore career.'' She served as president of the board, back office staff, hall monitor and fairy godmother for Dancing in the Streets, Arizona (DITSAZ). DITSAZ, founded by her daughter, Soleste Lupu, and husband, Joseph Rodgers, is a ballet school in South Tucson serving a diverse population of students of all shapes, backgrounds, economic levels, and special needs. Seventy-five percent of the dance school's participants are on partial or full scholarships due to poverty in the region. Marian attributed this poverty to both ''our prejudice and the lack of jobs.'' ''I thought I saw poverty in the '60s and '70s when I was involved in bringing the needs of the elderly to the community,'' she says. ''But you very rarely heard of the homeless elderly. For kids today it's different. I've never seen poverty among children the way you see it now.''

Marian saw working with children as a natural extension of working with older adults. She would say, ''We are all part of a family. If the grandparents aren't safe and happy, then the children and grandchildren are worried. And if the grandchildren aren't safe and happy themselves, then the grandparents are worried. We need the children to grow up to be strong, contributing citizens in order to support the services elders need. And we need the elders to contribute their wisdom and perspective and vision to help the next generation flourish.'' During her encore career, Marian often spoke up about the need for a comprehensive view of education. ''We need STEAM, not STEM, to power our society'' she would say—referring to the inclusion of arts in a science, technology, engineering and math-focused curriculum.

Marian is survived by her children and their spouses: Dale Lupu and Richard Gladstein; Jarold and Jana (Daniels) Lupu; Soleste Lupu and Joseph Rodgers, and by her grandchildren: Ariella Gladstein; Noah Lupu-Gladstein; and Emily, Cydny, and Neal Rodgers.

The Tucson and the entire national aging community will miss Marian's dedication and passionate advocacy.

TRIBUTE TO BEV AND KEITH CATLETT

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Bev and Keith Catlett of Hamburg, Iowa for being selected as the Grand Marshals for the 93rd Sidney Iowa Championship Rodeo. Bev and Keith Catlett have been volunteering at the east entrance of the Sidney Rodeo for 32 years.

Bev and Keith are long-standing members of the Sidney community, being involved in all aspects of the region. Keith is a member of Williams, Jobe, Gibson American Legion Post 128 of Sidney and Post 156 in Hamburg, Iowa. Keith proudly served our country in the Iowa Army National Guard and has worked as a farmer, school bus driver, school custodian and a former foreman for the Fremont County Roads Department. Bev served on the Hamburg School Board, volunteered for the Mt. Olive Cemetery Board, Colonial Theatre Board, worked for Stoner Drug and drove a school bus. She is a lifelong member of the Pony Express Riders of Iowa.

Trevor Whipple, President of the Sidney Iowa Championship Rodeo said, ''The Catletts are most deserving of being Grand Marshals. They have been great volunteers for many years. The Rodeo is honored to have them serve as Grand Marshals in 2016.''

Mr. Speaker, I applaud Bev and Keith Catlett for their tireless commitment to the Sidney Iowa Championship Rodeo and to the Sidney and Hamburg, Iowa communities. Their 32 years of volunteer service to the Sidney, Iowa Championship Rodeo is a testament to their hard work and determination to succeed. I commend Bev and Keith Catlett for a job well done. I know that my colleagues in the U.S. House of Representatives join me in honoring them for their commitment to their community and wish them nothing but continued success.

THE FINAL FRONTIER

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. POE of Texas. Mr. Speaker, the year was nineteen-sixty-nine. Everyone around the country was glued to their TVs, waiting for video footage of one of the most incredible achievements in human history to hit their screens: a man on the moon. As a young adult in 1969, I watched Neil Armstrong set foot on the Moon and felt a swell of pride when the first word spoken on the moon was ''Houston.'' I am still proud to share a hometown with NASA.

The journey to a moon landing included years of research, tests, and failures. These trials culminated into something that would have seemed unfathomable to anyone just a few years before. A man had piloted and landed a craft on the moon, gotten out, walked around, taken pictures, and returned home safely.

The Space Race was a defining point of the Cold War, and perhaps the most exciting. The Cold War brought fear to the United States, including the looming threat of nuclear war. But the United States was not discouraged, and perservered to innovation with the American values of hard work and dedication. In the midst of fear, the invention of space travel created hope for the future. The Space Race gained as much attention as the Arms Race, and President Kennedy's fierce speeches reminded the American public that this endeavor was just as important in the war against the Soviet Union. Hundreds of the brightest minds in America were called upon not to prepare for war, but to become the new Columbus' and Magellans as explorers of this ''new and final frontier.''

The Space Program quickly began to receive the same treatment as the Nuclear Arms Programs, with millions of dollars flowing into numerous top secret projects. The newly formed National Aeronautics and Space Administration, or NASA, was faced with one of the toughest jobs on the planet. How were they going to find the men smart enough to construct a device that could not only go to the moon but land for an extended duration and reenter Earth's atmosphere? Not to mention that a few years before a single computer had to have an entire room to be housed in, and they had to find the men brave (or foolish) enough to fly such a contraption to its harsh and unforgiving destination.

In the beginning, figuring out how we were going to put a man on the moon was not easy. Hundreds of men from all over the country were scratching their heads wondering how they were going to have enough fuel to get them there and back again with all the necessary equipment. It was John Houbolt, an engineer from Iowa who had an ingenious idea that, at the time, seemed ludicrous. Houbolt believed that more fuel could be conserved if the main craft stayed in orbit around the moon and much smaller lander would detach land on the moon, and then reattach with the main craft when it was time to depart.

But this idea stretched so far from what NASA's current team was already working on that many dismissed it. They would have to completely redesign the rocket, not to mention design this new ''lander'' and figure out how it would fit into the rocket with the astronauts. And they would have to finance even more training for the astronauts who would have to learn to detach and place the lander on the moon, and then relaunch and dock again with the orbiting rocket.

But it didn't take long for Houbolt to make his point. He insisted that this was the best way to accomplish a moon mission, and after months of hard work and redesign after redesign, the lunar lander was born. The iconic ''spider'' shaped lander is now exhibited in museums around the country, and without it the Apollo missions would have never left the launch pad.

But to pilot these machines of genius, some extraordinarily brave men were needed to explore the final frontier. NASA searched for some of the most gifted pilots and found one in the young Edward White from San Antonio. He was picked to man one of the early Gemini missions, Gemini 4, which only orbited the earth before coming back and acted as a stepping stone before the Apollo missions. During this mission, White became the first American to walk in space, exiting the vehicle and looking down at the Earth below. He was so exhilarated by the experience that he refused to come back into the vehicle at first and had to be given a direct order before he would comply.

''I'm coming back in . . .'' he told Houston, ''and it's the saddest moment of my life.''

Unfortunately, the story of how we made it to the moon is not without tragedies. After proving himself in the Gemini missions, Edward White was selected for the first Apollo mission. It was mere weeks before Apollo I was set to launch when the three-man crew was scheduled for a ''plugs out the test,'' meaning they would go through the takeoff procedure without leaving the launch pad. Suddenly, a fire broke out in the main cabin. Pure oxygen quickly filled the tiny cabin, fueling the rapidly spreading fire, and ultimately killing all three men aboard.

While such tragedies set us back in our pursuit of the moon, we have never surrendered to a challenge. The loss of these three brave men only caused NASA to crack down harder on the designs of the vessels that would take men to space, making them more efficient and safer than ever before. As technology evolves, space travel has become safer, however, disaster still strikes. We still remember the brave men and women aboard the Challenger and the Columbia during the shuttle missions. Portraits of these brave men and women adorn the halls of Congress, displayed for all visitors to see. Their sacrifice has only strengthened our resolve to reach for the stars. Failure is simply not an option.

But apart from the men that space exploration has inspired or the technology that these programs created to make the world a better place, the space race had a profound effect on the nation. There has been nothing quite like it since. John F. Kennedy, whether or not you liked the man or his policy, definitely had a passion for the space program, and he brought that passion to each and every one of his public speeches. It was this passion, along with the dedication of all the members involved with the project, that was passed along to the American public. Whether we were watching with baited breath from our televisions at home, engineering the rocket or flying the spacecraft, the United States was in this together. It was this devotion that united the American people like had never before, except for during war time. We were no longer Democrats or Republicans, we were Americans, cheering on and supporting the gallant men and women who were setting foot into this brave new world. No longer would bloodshed be required to bring this country together. The space race proved that Americans could come together not only in tragedies but triumphs; triumphs that would shape the world as we know it.

Mr. Speaker, the space race as we knew it then will never return with the same vengeance. Technology progresses in different, and much faster, ways than it did during the height of the Cold War. But our space quest inspired millions of people around the globe, and that dream of future space exploration is still alive. I hope that while this governing body must face many serious and somber issues to keep this country safe and prosperous, that such a time will not fade from our memories, and that the American space dream will never fade away. Its unfortunate that we've seen the demise of NASA, a self-inflicted wound by our own Federal Government. In the interest of

national security, we must continue to support the American space dream.

And that's just the way it is.

HONORING THE LIFE AND DEDICATED SERVICE OF BRIG. GEN. MARK STOGSDILL, USAF RET.

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. MILLER of Florida. Mr. Speaker, it is with profound sadness that I rise today to recognize the life and dedicated service of Brigadier General Thomas ''Mark'' Stogsdill, USAF retired, who passed away on July 19, 2016. General Stogsdill was a devoted family man, Vietnam veteran, and decorated warrior who proudly served our country as a member of the Armed Forces for over 35 years. I am humbled to rise and pay tribute to his life, his unwavering commitment to service, and his dedication to our Nation's heroes and their loved ones.

General Stogsdill was born in Wellington, Kansas, to Betty (Montgomery) and Dale W. L. Stogsdill on September 8, 1947. His love for our country was strong and evident early on when he commissioned in the United States Air Force in the fall of 1969. He became a master navigator and earned his wings in 1970 at Mather Air Force Base, California. He completed more than 6,500 flying hours including 450 combat hours flown in AC–130 Spectre gunships during the Southeast Asia conflict. After six years on active duty, General Stogsdill joined the Air Force Reserve in 1975.

He assumed command of the 919th Special Operations Wing in 1998, which had recently transitioned from the AC–130A Spectre gunship to the MC–130E Combat Talon and MC–130P Combat Shadow. His leadership and dedication to those under his command helped ensure a successful transition. General Stogsdill was constantly looking for new ways to improve his beloved 919th SOW. It was his innovative thinking and driven persistence that enabled the Total Force Integration between the Air Force Special Operations Command's 5th Special Operations Squadron and 9th SOS at Eglin Air Force Base, and the Air Force Reserve Command's 711th SOS and 8th SOS at Duke Field. Moving reservists to Eglin and active duty members to Duke Field created a long-standing cohesion among the Special Operations Squadrons.

Many will remember General Stogsdill for his courage and resolve following the September 11, 2001, terrorist attacks on our homeland. General Stogsdill led his unit through numerous combat deployments. Extremely successful in their missions, the 919th SOW became known as one of the most highly decorated wings in the United States Air Force Reserve.

Upon his retirement from the Air Force in 2006, General Stogsdill remained dedicated to those who serve and their families along with the community of Northwest Florida. He was an active member of both the Crestview Military Affairs Council and Emerald Coast Military Affairs Council and was a board member of the Fisher House.

During his distinguished career, General Stogsdill was greatly regarded within the Air Force and Northwest Florida communities, and, to many he will be remembered for his devotion to his country and fellow man. To his family and friends, he'll be remembered as a loving family man with a great sense of humor. Without question, General Stogsdill lived a life full of service and has earned our Nation's highest respect and gratitude.

Mr. Speaker, on behalf of the United States Congress, it is a privilege for me to honor Brigadier General Mark Stogsdill's lifetime of service. My wife Vicki and I extend our prayers and sincere condolences to his wife and best friend, Jan; two daughters—Sarah and Emma; and the entire Stogsdill family.

TRIBUTE TO DON AND JOAN STAVER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Don and Joan Staver on the very special occasion of their 60th wedding anniversary.

Don and Joan Staver were married on June 23, 1956 at Saint Clement's Catholic Church in Bankston, Iowa and now make their home in Panora, Iowa. Their lifelong commitment to each other and their family truly embodies Iowa's values. As the years pass, may their love continue to grow even stronger and may they continue to love, cherish, and honor one another for many more years to come.

Mr. Speaker, I commend this lovely couple on their 60 years of life together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

RECOGNIZING MRS. LAUREN BAUCOM FOR BEING SELECTED AS A RECIPIENT OF THE PRESIDENTIAL AWARD FOR EXCELLENCE IN MATHEMATICS AND SCIENCE TEACHING

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. HUDSON. Mr. Speaker, I rise today to honor Mrs. Lauren Baucom, a mathematics teacher at Forest Hills High School in Marsheville, NC, who was recently recognized as a recipient of the Presidential Award for Excellence in Mathematics and Science Teaching (PAEMST). This distinction celebrates teachers from across the country who are leaders in the fields of science and mathematics and promote innovation in the classroom.

Each year a panel of distinguished scientists, mathematicians, and educators review nominees and select PAEMST award recipients who challenge their students to equip them with critical thinking and problem solving skills. This year, 213 educators were selected representing all 50 states, grades K–12. Upon receipt of the award, each teacher will be given a $10,000 award from the National Science Foundation to be used at their discretion.

Mrs. Baucom is a shining example of a leader in the classroom who values the personal development of each one of her students. Her efforts include not only helping her students master the material but also assisting in their personal development. Mrs. Baucom encourages students to take the lessons they experience in the classroom and apply them to real life issues in an effort to impact the world.

When Mrs. Baucom is not in the classroom, she spends time investing in her colleagues and serving as a mentor for fellow educators. As the Instructional Support Coordinator at Forest Hills High School, she leads fellow teachers in rigorous professional development courses showcasing her pursuit of lifelong learning. As one of two award recipients in the state of North Carolina, she joins an elite group of educators who are on the cutting edge of classroom innovation. Our community is fortunate to have Mrs. Baucom dedicate her time and talents to educating our students.

Mr. Speaker, please join me today in congratulating Mrs. Lauren Baucom for receiving the Presidential Award for Excellence in Mathematics and Science Teaching and wish her well as she continues to make a positive difference in the lives of her students.

IN TRIBUTE TO ERIC ''VON'' BOARDLEY

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Ms. MOORE. Mr. Speaker, I rise to recognize Eric Von Boardley, known to everyone by his broadcast name Eric Von. Eric passed away on September 8, 2016, at the age of 58, leaving behind his wife Faithe Colas, daughters Erica Boardley and Paige Colas, a brother and sister, numerous other family members and many friends to mourn his passing.

Eric was a radio and television broadcaster, veteran journalist and community advocate. However, he was most widely recognized and revered as a radio personality. He began his career in his hometown of Washington, D.C., as the business manager for Radio One. He eventually settled in Milwaukee, WI where he remained for over 25 years; beginning at WMCS 1290 AM and ended his radio career at WNOV 860 AM. He created an online magazine in 2014 whose goal was to improve the health of black men, entitled Brain, Brawn & Body. Eric was a frequent panelist on Wisconsin Public Television's ''Interchange''; served as co-host of ''Black Nouveau'' from 1998 to 2000, another show on Public Television; and was a special assignment reporter and co-host of ''It's Your Vote''. Most recently, Eric was a leader in Precious Lives, a mediated effort to look at the causes and consequences of gun violence on Milwaukee youth. Eric was involved in public events and the live on-the-air community discussions he hosted were widely listened to with huge public participation. He did his research and was informed; guests had to be fully prepared before going on his show. Eric was so much more than a radio host and personality, he was a Milwaukee icon who was completely

enmeshed in the issues impacting the community, especially Milwaukee's African-American community.

I have had the great privilege of working with Eric for his entire tenure in Milwaukee; beginning while I served in the Wisconsin State Assembly and extending to my years in Congress. In fact, I was a regular guest on his radio program while in Congress when he hosted his show on 1290 AM. For many years, he served as the Master of Ceremonies at the yearly issue forum I host at the Congressional Black Caucus Annual Legislative Caucus. Eric was also the Master of Ceremonies at my 60th Birthday celebration where he was featured along with Mary Wells of the Supremes.

Mr. Speaker, I am proud to recognize Mr. Eric Von Boardley and proud to have called him friend. He leaves big shoes to fill for the broadcast community in Milwaukee. He was creative and a true trailblazer; I will truly miss this amazing man and his wonderful banter and commentary. The citizens of the Fourth Congressional District and the State of Wisconsin have benefited tremendously from his dedicated service. I am honored for these reasons to pay tribute to Eric ''Von'' Boardley.

A TRIBUTE TO NITA FAGAN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Nita Fagan for receiving the Distinguished Service Award from the Casey Service Club.

Ms. Fagan was recognized at the Casey Fun Day celebration on July 9, 2016. Nita Fagan and Judy Wedemeyer currently serve as co-presidents of the service club and are active members of the Casey Historical Society. They have given many hours to researching and writing the ''Memories of Casey'' column for The Adair News and are responsible for spearheading the Hearts of Gold Fundraiser campaign.

Mr. Speaker, I know that my colleagues in the United States Congress join me in congratulating Nita Fagan for her service to Casey and congratulate her on receiving this award. It is an honor to represent her in the United States House of Representatives and I wish her nothing but continued success.

OCTAVIA GEE WINS THREE GOLD MEDALS AT THE AMATEUR ATHLETIC UNION JUNIOR OLYMPICS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Sugar Land, TX native Octavia Gee for winning three gold medals at the Amateur Athletic Union Junior Olympics.

Octavia competed for the Houston Sonics Track Club and won gold in turbo javelin, shot put and triathlon. In the 10 Girls Turbo Javelin, she tossed a remarkable national record of 86 feet, 8 inches. When it comes to breaking records however, Octavia is no stranger. In the last year she has broken two world shot put records, with her most recent in February in the 10-year-old division at the 2016 Lions/Outright Performance Winter Series-Throws Meet Number 2, where she threw 26 feet, 11.75 inches. Octavia's hard work and talent make our Sugar Land community proud.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Octavia Gee for winning three gold medals at the AAU Junior Olympics. Keep up the great work.

HONORING CHIEF JUDGE LEE F. SATTERFIELD

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Ms. NORTON. Mr. Speaker, I rise today to ask my colleagues in the House of Representatives to join me in honoring Chief Judge Lee F. Satterfield, Chief Judge of the Superior Court of the District of Columbia, who will be completing his final term as Chief Judge on September 30, 2016. Chief Judge Satterfield's service has been notable not only for its excellence but for his genuine care for and commitment to serving the people of the District of Columbia.

A proud Washingtonian and graduate of St. John's College High School, Judge Satterfield received a Bachelor of Arts in Economics from the University of Maryland. From an early age, he drew inspiration from his father, who withdrew his application for a judicial position on the Superior Court of the District of Columbia after hearing that his teenage son had been diagnosed with bone cancer. Chief Judge Satterfield always recalled how his father relinquished his own dreams to help his son through a difficult time of his childhood. His father always told him to deal with people as he would want them to deal with him. The judge's commitment and perseverance are evident in the career path he chose. Throughout his 30-year career, Lee Satterfield has played an important role in the administration of justice. After receiving his Juris Doctor from George Washington University National Law School in 1983, he was appointed to serve as an Assistant United States Attorney for the District of Columbia. In that position, he served in the appellate, grand jury, misdemeanor and felony sections of the United States Attorney's Office.

In September 1988, Judge Satterfield joined the law firm of Sachs, Greenebaum and Taylor, before serving as a trial attorney for the Organized Crime and Racketeering Section of the United States Department of Justice. In that section, he prosecuted organized crime and labor racketeering crimes in the federal courts of the District of Columbia, Pennsylvania, and Illinois.

Chief Judge Satterfield first served on the Superior Court bench in November 1992, as an appointee of President Bush. He originally served in the court's Criminal, Civil, Family, and Domestic Violence divisions, and went on to serve as one of the court's original Drug Court judges. During this time, Judge Satterfield was also a member of several national and regional advocacy organizations, such as the National Advisory Committee on Domestic Violence, the District of Columbia Juvenile Detention Alternative Initiative Committee and the Citywide Truancy Task Force. In this capacity, Judge Satterfield authored unprecedented regulations for domestic violence court operations and piloted a Middle School Truancy Court Diversion Program in District of Columbia Public Schools.

In September 2008, Judge Satterfield was inaugurated as Chief Judge of the Superior Court. As Chief Judge, Judge Satterfield oversaw 112 Superior Court judges and launched several effective initiatives. He started programs that ensured the accurate prosecution of self-represented parties, allowed tenants to easily report their landlords for violations, and authorized an increased technological presence in the courtroom. He also streamlined and prioritized the Superior Court's jury selection process, directed a $63 million renovation of the courthouse, and founded a specialized behavioral court that afforded juveniles a chance to reduce or eliminate charges against them if they complied with treatment. Chief Judge Satterfield also, notably, oversaw the implementation of new marriage equality laws in the District and expanded the community court initiative, which resulted in significantly lower recidivism among those who committed misdemeanors.

Among all of his other commitments, for over 20 years, Judge Satterfield was an adjunct professor at the Catholic University Columbus School of Law, where he taught Criminal Trial Practice and Advanced Criminal Procedure. He was also a professional lecturer in the L.L.M. litigation program at George Washington University National Law School for four years.

Chief Judge Satterfield has shown unusual resilience through medical crises later in his life, including a heart transplant and a stroke he endured in 2011. He has consistently been a source of inspiration to his colleagues and the D.C. community.

Mr. Speaker, I ask my colleagues to join me in honoring Chief Judge Lee F. Satterfield for his service to the country, to the District of Columbia and our courts, and to wish him the best for the remainder of his time on the Superior Court of the District of Columbia and for his retirement in February 2017.

SOPHIE ATKINSON WINS TWO GOLD MEDALS AT AMATEUR ATHLETIC UNION JUNIOR OLYMPICS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Sophie Atkinson of Katy, TX for winning two gold medals at the Amateur Athletic Union Junior Olympics.

Sophie brought victory home to Track Houston in both the 1,500 and 3,000 meter races in the girl's 13-year-old division. Her winning time in the 1,500 meter race was 4:45.04. She not only won the 3,000 meter sprint, but also set a new Junior Olympic record, with a time of 10:03.41. Sophie is an incoming eighth grader at Bend Middle School and earned a silver medal in last year's 3,200 meter relay at the AAU Junior Olympics.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Sophie Atkinson for winning two gold medals at the AAU Junior Olympics. We thank her for bringing this success home to Katy and wish her the best in her future track career.

COMMEMORATING THE 50TH ANNIVERSARY OF WAUBONSEE COMMUNITY COLLEGE

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. FOSTER. Mr. Speaker, I rise today to commemorate the 50th Anniversary of Waubonsee Community College.

Named after a Pottawatomie Native American chief who lived in the Fox River Valley during the 1800s, Waubonsee means ''early dawn.'' Since its foundation in August 1966, Waubonsee has served more than 290,000 students, including more than 33,000 degree and certificate earners, and has grown to four major campuses across Illinois.

Known for its reputation as an innovator in the areas of accessibility, Waubonsee has provided distance learning and online courses for more than 20 years. In addition to numerous bold initiatives in partnership with the community, Waubonsee recently pioneered the Health Care Interpreting Associate Degree, a first of its kind in the State of Illinois, designed to assist patients and doctors who may speak different languages.

Through its extracurricular programs, honor societies, cultural and art groups, leadership programs, and collegiate sport teams, Waubonsee Community College truly provides a full learning experience to its students.

Mr. Speaker, I ask my colleagues to join me in celebrating Waubonsee Community College's fifty years of service to our community.

MILAN YOUNG WINS NATIONAL CHAMPIONSHIP AT THE AMATEUR ATHLETIC UNION JUNIOR OLYMPICS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Milan Young of Richmond, TX for winning the national championship at the Amateur Athletic Union Junior Olympics.

Milan leapt to victory with a time of 13.85 seconds in the 100-meter hurdles. Currently at Lamar High School, she suffered from stress-fractures in her pelvis as a sophomore. After qualifying for the Class 6A meet as a freshman, Milan was forced to take an entire season and summer to heal. The future Olympic hopeful has clearly returned from her injury with vengeance and has her sights on what's next.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Milan Young for her national championship win at the AAU Junior Olympics. We are proud of her for bringing this win home to Richmond and wish her luck with her future track and field career.

LANCE HINDT ELECTED SUPERINTENDENT OF KATY INDEPENDENT SCHOOL DISTRICT

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. OLSON. Mr. Speaker, I rise today to congratulate Lance Hindt for being elected to serve as Superintendent of the Katy Independent School District (ISD).

Lance served as the Superintendent of Allen Independent School District (ISD) since 2014. While there, Lance was tasked with solving issues relating to the new stadium for the high school football powerhouse conference. Prior to serving Allen (ISD), Lance was the Superintendent of the Stafford Municipal School District. He began his teaching career at John Foster Dulles High School in Sugar Land and is himself a graduate of Katy ISD's James E. Taylor High School. With his distinguished career in education, his return to Fort Bend County makes him a fantastic addition to the Katy ISD.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Lance Hindt for being named the new Superintendent of the Katy Independent School District. We thank him for his commitment to education excellence.

HONORING JIMMY OWENS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. CONYERS. Mr. Speaker, jazz artist Jimmy Owens will be honored this year by the Congressional Black Caucus Foundation (CBCF) at the Jazz Forum and Concert during the 46th Annual Legislative Conference (ALC). Mr. Owens, an internationally renowned trumpet and flugelhorn player, composer and educator, will also perform at the concert, which will take place on Thursday, September 15, 2016, at the Walter E. Washington Convention Center, in Washington, D.C. Mr. Owens will receive the 2016 CBCF ALC Jazz Legacy Award for his contributions to jazz and world culture. I am pleased to share the following details of Mr. Owens distinguished career as they appear in his own biography.

Jimmy Owens was born in New York City on December 9, 1943. He began his trumpet studies at the age of fourteen with Donald Byrd and later studied composition with Henry Brant. He graduated from the High School of Music and Art and received a Master of Education degree from the University of Massachusetts. At age fifteen, Jimmy played with the Newport Youth Jazz Band and later played with Lionel Hampton, Hank Crawford, Charles Mingus, Max Roach, Duke Ellington, and Billy Taylor among others. He has over forty-five years of experience as a Jazz trumpeter, composer, arranger, lecturer, and music education consultant. His experience covers a wide range of international musical achievement, which includes extensive work as a studio musician, soloist, bandleader, and composer of orchestral compositions, movie scores, and ballets. In January 2012, Jimmy was the recipient of the A. B. Spellman Jazz Award for advocacy from the National Endowment for the Arts. In January 2008, Jimmy was the recipient of the Benny Golson Jazz Master Award at Howard University.

In 2007, he produced and released a new CD on his own label Jay-Oh Jazz Recordings, a division of Jay-Oh Productions, Inc., called Peaceful Walking, with a fine rhythm section from Italy. As one reviewer said: ''This terrific quartet is a platform for Jimmy Owens to display his writing, arranging, and playing prowess—which he does with precision.'' He also appeared on Gerald Wilson's CD Monterey Moods [2007]. This was his third appearance on a Wilson CD in recent years. He was a sideman in the critically acclaimed In My Time [2005] and New York New Sound, Gerald Wilson's 2003 Grammy nominated CD. In 2004, he also appeared on One More—Music of Thad Jones (2004).

Jimmy is an active and important member of the Jazz education community. He sits on the boards of the Jazz Foundation and was on the Board of Local 802 AFM from 1998 through 2009. His expertise and knowledge is often called upon for issues relating to health and pension benefits for Jazz artists or to share his first-hand experiences about being in the bands of several Jazz Masters. Jimmy is one of the few trumpeters of his generation who played as a sideman with such extraordinary Jazz leaders as Lionel Hampton, Hank Crawford, Charles Mingus, Max Roach, Duke Ellington, Billy Taylor, and the Thad Jones/Mel Lewis Band, among others. As a result, he can share unique musical and personal recollections of performing in some of the most exciting bands in the history of Jazz music. His anecdotes are priceless: being chosen by Willie Ruff to play a trumpet tribute to Cootie Williams, Sweets Edison, Roy Eldridge and Dizzy Gillespie at the historic 1972 inaugural Ellington Fellowship Concert at Yale; sitting in with Miles Davis at the age of fifteen; participating in the 20th anniversary musical celebration of Senegal's independence in 1980. In addition to all of this, he's also led his own group, Jimmy Owens Plus . . . since the 1970s playing at festivals and in concert halls all over the world.

While Jimmy is known as a hard bop player, and it's true, it hardly covers the breadth and scope of his musical skills. Throughout his long career, Jimmy has consistently emphasized in both his performances and recordings a deep understanding of the blues as well as beautiful and articulate emotional projection on ballads. As a reviewer stated in All About Jazz regarding Jimmy's performance on One More: The Summary—Music of Thad Jones, Vol 2 (2006), an all-star recording on which Jimmy appeared—''Jimmy Owens . . . proves that he's better than ever, whether employing a breathy, vocal quality (Little Pixie), a smooth flugelhorn sound (Three in One), or brilliant and elliptical Jones-like melodic ideas (Rejoice).'' Most recently, Jimmy recorded Jimmy Owens' The Monk Project choosing a stellar group of musicians, including Kenny Barron, Kenny Davis, Winard Harper, Wycliffe Gordon, Marcus Strickland, and Howard Johnson, which was released in January 2012 to critical acclaim. As Rob Young wrote in Urban Flux: ''Owens intelligently approaches each composition with stamina and respect to these ten daunting masterpieces. On the opener, Bright Mississippi, it is evident Owens tonality is

clearly poignant as his horn vibrates through and through the intricate passage with precision. This explosive gem sets the tempo to remind us that he [Owens] is more than capable to form this collection of standards in a way that hasn't been done before.''

Mr. Speaker, it was Jimmy Owens who challenged me to bring Jazz into the legislative arena, for consideration as a national asset that must be preserved and promoted. Jimmy Owens is a living national jazz treasure of international acclaim and I urge all members to join me in commending him for his magnificent contributions.

HONORING JAZZMOBILE

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. CONYERS. Mr. Speaker, Jazzmobile, the world's first not-for-profit organization solely devoted to jazz, will be honored this year by the Congressional Black Caucus Foundation (CBCF), at the Jazz Issue Forum and Concert that will take place during the 46th Annual Legislative Conference (ALC). The Jazzmobile All-Stars will perform at the concert, which will take place on Thursday, September 15th, 2016, at the Walter E. Washington Convention Center, in Washington, DC. Robin Bell-Stevens, Director of Jazzmobile, and Kim Taylor-Thompson, daughter of Jazzmobile founder, Dr. Billy Taylor, will accept the 2016 CBCF ALC Jazz Legacy Award on behalf of the organization, for their five decades of contributions to Jazz and world culture.

Jazzmobile began in 1964, when Harlem was besieged by racial unrest. It was in that turbulent time that the great jazz pianist and educator, Dr. William ''Billy'' Taylor, had an idea to use Jazz as a culturally enriching antidote to the urban blight that inner-city children were exposed to. Drawing on the New Orleans street parade tradition, Dr. Taylor—along with arts patron Daphne Arnstein, founder of the Harlem Cultural Council—turned an unused float into a floating Jazz stage, and took Jazz directly to the youth, who, because they could not afford to hear the music in clubs, were not exposed to it in school, and did not hear it on the radio, were now able to hear the music for free in their neighborhoods.

Designated as a major cultural institution by the New York State Council on the Arts in 1977, and a recipient of the Emergency School Aid Act, Jazzmobile applied the principles of jazz improvisation and the arts to underserved children so they can have positive means of self-expression and cultural pride. To date, Jazzmobile has presented Jazz to all of New York's five boroughs, with over four million people attending their free concerts. They also provide lecture demonstrations, clinics, symposiums, workshops, a vocal competition, and their Summerfest mini-festival. Throughout their five decades, some of the greatest musicians in jazz performed, worked and studied with Jazzmobile including, Dizzy Gillespie, Duke Ellington, Herbie Hancock, Horace Silver, Jimmy Owens and Wynton Marsalis, to name a select few.

Jazzmobile has received a number of awards including, the National Jazz Museum in Harlem & Great Harlem Chamber of Commerce's Award for Excellence, The Conspicuous Service Award from the New York State Council on the Arts, The New York City Arts and Business Council's Encore Awards, Citibank's Community Service Award, the New York City Service Award, and several citations from Mayors Edward Koch, David Dinkins and Michael Bloomberg.

But Jazzmobile's greatest achievement is that it serves as the model for thousands of jazz-based organizations, from Pittsburgh's Manchester Craftsman's Guild, San Francisco's SF JAZZ Center, to Jazz at Lincoln Center in New York City. Mr. Speaker, Jazzmobile is a living jazz treasure and I urge all members to join me in commending this organization for their magnificent contribution to American and world culture.

HONORING JAMES ALLEN FORD

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 12, 2016

Mr. CONYERS. Mr. Speaker, tenor/soprano saxophonist, composer, arranger, and educator James Allen Ford, professionally known as Joe Ford, one of the most accomplished and inventive musicians in Jazz, will be honored this year by the Congressional Black Caucus Foundation, at the Jazz Issue Forum and Concert that will take place during the 46th Annual Legislative Conference. Mr. Ford will perform at the concert with the Washington Renaissance Orchestra, which will take place on Thursday, September 15th, 2016, at the Walter E. Washington Convention Center, in Washington, DC. Ford will also receive the 2016 CBCF ALC Jazz Legacy Award for his four decades of contributions to Jazz and world culture.

Born on May 7, 1947 in Buffalo, New York, Ford began playing piano at age of seven and switched to the saxophone four years later, eventually studying with Makanda Ken McIntyre, Jackie McLean and Frank Foster. He also studied percussion with drummer Joe Chambers. He played in a number of local funk bands and campus groups in high school, and at Central State University in Ohio, where he received his BA in Music Education in 1968. After graduation, Ford returned to Buffalo and worked as a music teacher, directing a school band and chorus, and played piano with local bands, and national groups including The Miracles.

In 1973, Ford was the co-leader and co-producer of Buffalo's influential John Coltrane/Miles-Davis-influenced Birthright jazz ensemble, with tenor saxophonist Paul Gresham, and drummer Nasar Abadey. The group released two critically acclaimed albums for Freelance Records: Free Spirits and Breath of Life. Ford also played with the Buffalo Jazz Ensemble, a group that featured members of the fusion group, Spyro Gyra. Invited by McCoy Tyner to join his group, Ford moved to New York City, and was a key member of that band, which extended and elaborated on John Coltrane's innovations. Two of the seven albums Ford recorded with Tyner's Big Band—The Turning Point and Journey—won Grammy awards for Best Large Jazz Ensemble Performance in 1992 and 1994. Ford released his first solo recording Today's Night in 1993, and recorded over eighty albums as a sideman with a wide variety of jazz artists including Jimmy Owens, Abdullah Ibrahim, Idris Muhammad, Malachi Thompson and Freddy Cole.

Ford joined Jerry Gonzalez's pioneering Fort Apache Band in 1990: an ensemble of Puerto Ricans and African-Americans, who enriched the linkages between jazz and Afro-Latin rhythms. Ford composed the title tracks for their recordings, Crossroads, Pensativo and Firedance, which garnered three Grammy nominations from 1994 to 1996. In late nineties, Ford led two groups, The Black Art Sax Quartet, and a big band entitled The Thing. Ford was inducted in the Buffalo Hall of Fame in 2004, and he currently performs with Nasar Abadey and SUPERNOVA.

Mr. Speaker, Joe Ford is a living jazz treasure and I urge all members to join me in commending him for his magnificent contribution to American and world culture.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, September 13, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 14

9:30 a.m.

Committee on Foreign Relations

Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues

To hold hearings to examine protecting girls, focusing on global efforts to end child marriage.

SD–419

10 a.m.

Committee on the Judiciary

Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts

To hold hearings to examine protecting Internet freedom, focusing on the implications of ending United States oversight of the Internet.

SD–226

2:15 p.m.

Committee on Foreign Relations

To hold hearings to examine North Atlantic Treaty Organization expansion, focusing on the accession of Montenegro.

SD–419

2:30 p.m.
Committee on Appropriations
Subcommittee on Energy and Water Development
To hold hearings to examine the future of nuclear power.
SD–138

Committee on the Budget
To hold an oversight hearing to examine the Congressional Budget Office.
SD–608

Committee on Indian Affairs
Business meeting to consider S. 2796, to repeal certain obsolete laws relating to Indians; to be immediately followed by a hearing to examine S. 2636, to amend the Act of June 18, 1934, to require mandatory approval of applications for land to be taken into trust if the land is wholly within a reservation, S. 3216, to repeal the Act entitled ''An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation'', S. 3222, to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions, and S. 3300, to approve the settlement of water rights claims of the Hualapai Tribe and certain allottees in the State of Arizona, to authorize construction of a water project relating to those water rights claims.
SD–628

Committee on Veterans' Affairs
To hold hearings to examine the future of the Department of Veterans Affairs, focusing on examining the Commission on Care report and the VA's response.
SR–418

Special Committee on Aging
To hold hearings to examine maximizing Social Security benefits.
SD–562

SEPTEMBER 15

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the long-term budgetary challenges facing the military services and innovative solutions for maintaining our military superiority.
SD–G50

9:45 a.m.
Committee on Foreign Relations
To hold hearings to examine Afghanistan, focusing on United States policy and international commitments.
SD–419

10 a.m.
Committee on Agriculture, Nutrition, and Forestry
To hold hearings to examine the nominations of Christopher James Brummer, of the District of Columbia, and Brian D. Quintenz, of the District of Columbia, both to be a Commissioner of the Commodity Futures Trading Commission.
SR–328A

Committee on Commerce, Science, and Transportation
To hold an oversight hearing to examine the Federal Communications Commission.
SR–253

Committee on Homeland Security and Governmental Affairs
To hold hearings to examine the state of health insurance markets.
SD–342

Committee on the Judiciary
To hold hearings to examine S. 2763, to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis, S. 3155, to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title, S. 3270, to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases, and the nominations of Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit, and Florence Y. Pan, to be United States District Judge for the District of Columbia.
SD–226

10:30 a.m.
Committee on Small Business and Entrepreneurship
To hold hearings to examine the Federal response and resources for Louisiana flood victims.
SR–428A

2 p.m.
Select Committee on Intelligence
To receive a closed briefing on certain intelligence matters.
SH–219

2:15 p.m.
Committee on Foreign Relations
To hold hearings to examine reviewing the civil nuclear agreement with Norway.
SD–419

SEPTEMBER 20

10 a.m.
Committee on the Judiciary
To hold hearings to examine consolidation and competition in the United States seed and agrochemical industry.
SD–226

SEPTEMBER 21

10:30 a.m.
Committee on Banking, Housing, and Urban Affairs
Subcommittee on National Security and International Trade and Finance
To hold hearings to examine terror financing risks of America's $1.7 billion cash payments to Iran.
SD–538

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5487–S5582

Measures Introduced: Five bills and two resolutions were introduced, as follows: S. 3308–3312, and S. Res. 551–552. **Page S5502**

Measures Considered:

Legislative Branch Appropriations Act—Cloture: Senate began consideration of the motion to proceed to consideration of H.R. 5325, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017. **Pages S5487–89**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of S. 2848, Water Resources Development Act. **Page S5487**

Water Resources Development Act—Agreement: Senate resumed consideration of S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, taking action on the following amendments proposed thereto: **Pages S5489–99**

Pending:

McConnell (for Inhofe) Amendment No. 4979, in the nature of a substitute. **Page S5489**

Inhofe Amendment No. 4980 (to Amendment No. 4979), to make a technical correction. **Page S5489**

During consideration of this measure today, Senate also took the following action:

By 90 yeas to 1 nay (Vote No. 138), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on McConnell (for Inhofe) Amendment No. 4979 (listed above). **Pages S5498–99**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10 a.m., on Tuesday, September 13, 2016; and that all time during recess or adjournment of the Senate count post-cloture on McConnell (for Inhofe) Amendment No. 4979. **Page S5582**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that the junior Senator from North Carolina and the senior Senator from Texas be granted signing authority for Monday, September 12, 2016. **Page S5582**

Nominations Received: Senate received the following nominations:

David J. Arroyo, of New York, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2022.

Robert G. Taub, of New York, to be a Commissioner of the Postal Regulatory Commission for a term expiring October 14, 2022.

Matthew Lee Wiener, of Virginia, to be Chairman of the Administrative Conference of the United States for the term of five years.

1 Navy nomination in the rank of admiral.

Page S5582

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Brodi L. Fontenot, of Louisiana, to be Chief Financial Officer, Department of the Treasury, which was sent to the Senate on February 12, 2015. **Page S5582**

Nominations Discharged: The following nominations were discharged from further committee consideration and placed on the Executive Calendar:

Susan S. Gibson, of Virginia, to be Inspector General of the National Reconnaissance Office, which was sent to the Senate on April 18, 2016, from the Senate Committee on Homeland Security and Governmental Affairs.

Peggy E. Gustafson, of Maryland, to be Inspector General, Department of Commerce, which was sent to the Senate on April 25, 2016, from the Senate Committee on Homeland Security and Governmental Affairs. **Page S5582**

Messages from the House: **Pages S5501–02**

Measures Referred: **Page S5502**

Measures Placed on the Calendar: **Page S5502**

Additional Cosponsors: Pages S5502–04

Statements on Introduced Bills/Resolutions: Pages S5504–05

Additional Statements: Pages S5500–01

Amendments Submitted: Pages S5505–82

Authorities for Committees to Meet: Page S5582

Record Votes: One record vote was taken today. (Total—138) Pages S5498–99

Adjournment: Senate convened at 3 p.m. and adjourned at 6:46 p.m., until 10 a.m. on Tuesday, September 13, 2016. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5582.)

Committee Meetings

(Committees not listed did not meet)

U.S.-TURKISH COOPERATION

Committee on Foreign Relations: Committee received a closed briefing on the failed coup in Turkey and the future of United States-Turkish cooperation from Victoria Nuland, Assistant Secretary of State, Bureau of European and Eurasian Affairs; and James J. Townsend, Jr., Deputy Assistant Secretary of Defense for European and NATO Policy.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 8 public bills, H.R. 5992–5999; and 3 resolutions, H. Res. 857, 860, and 861 were introduced. Page H5337

Additional Cosponsors: Pages H5338–39

Reports Filed: Reports were filed today as follows:

H.R. 921, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State, with an amendment (H. Rept. 114–736, Part 1);

H.R. 4979, to foster civilian research and development of advanced nuclear energy technologies and enhance the licensing and commercial deployment of such technologies, with an amendment (H. Rept. 114–737, Part 1);

H.R. 4782, to increase, effective as of December 1, 2016, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes, with an amendment (H. Rept. 114–738);

H.J. Res. 87, 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 203c) of the Labor-Management Reporting and Disclosure Act" (H. Rept. 114–739);

H.R. 2817, to amend title 54, United States Code, to extend the authorization of appropriations for the Historic Preservation Fund, with an amendment (H. Rept. 114–740);

H. Res. 858, providing for consideration of the bill (H.R. 3590) to amend the Internal Revenue Code of 1986 to repeal the increase in the income threshold used in determining the deduction for medical care (H. Rept. 114–741); and

H. Res. 859, providing for consideration of the bill (H.R. 5620) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes (H. Rept. 114–742). Page H5337

Speaker: Read a letter from the Speaker wherein he appointed Representative Meadows to act as Speaker pro tempore for today. Page H5257

Recess: The House recessed at 12:04 p.m. and reconvened at 2 p.m. Page H5257

Suspensions: The House agreed to suspend the rules and pass the following measures:

Expressing the sense of the House of Representatives regarding the life and work of Elie Wiesel in promoting human rights, peace, and Holocaust remembrance: H. Res. 810, amended, expressing the sense of the House of Representatives regarding the life and work of Elie Wiesel in promoting human rights, peace, and Holocaust remembrance; Pages H5259–63

Expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to continue to reaffirm its commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs: S. Con. Res. 46, expressing support for the goal of ensuring that

all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to continue to reaffirm its commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs; **Pages H5263–66**

Supporting human rights, democracy, and the rule of law in Cambodia: H. Res. 728, amended, supporting human rights, democracy, and the rule of law in Cambodia; **Pages H5270–72**

State Sponsors of Terrorism Review Enhancement Act: H.R. 5484, to modify authorities that provide for rescission of determinations of countries as state sponsors of terrorism; **Pages H5272–74**

Veterans Care Agreement and West Los Angeles Leasing Act of 2016: H.R. 5936, amended, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into agreements with certain health care providers to furnish health care to veterans, to authorize the Secretary to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, and to make certain improvements to the enhanced-use lease authority of the Department; **Pages H5274–77**

Agreed to amend the title so as to read: ''To authorize the Secretary of Veterans Affairs to enter into certain leases at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California, to make certain improvements to the enhanced-use lease authority of the Department, and for other purposes.''. **Page H5277**

Veterans Mobility Safety Act: H.R. 3471, amended, to amend title 38, United States Code, to make certain improvements in the provision of automobiles and adaptive equipment by the Department of Veterans Affairs; **Pages H5277–79**

Amending title 36, United States Code, to authorize the American Battle Monuments Commission to acquire, operate, and maintain the Lafayette Escadrille Memorial in Marnes-la-Coquette, France: H.R. 5937, amended, to amend title 36, United States Code, to authorize the American Battle Monuments Commission to acquire, operate, and maintain the Lafayette Escadrille Memorial in Marnes-la-Coquette, France; **Pages H5279–80**

Ensuring Access to Pacific Fisheries Act: H.R. 4576, amended, to implement the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean, to implement the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean; **Pages H5280–86**

Reauthorizing the Historically Black Colleges and Universities Historic Preservation program: H.R. 295, amended, to reauthorize the Historically Black Colleges and Universities Historic Preservation program; **Pages H5286–87**

Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act: S. 246, amended, to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children; **Pages H5287–89**

Native American Tourism and Improving Visitor Experience Act: S. 1579, to enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States; **Pages H5289–92**

BOTS Act: H.R. 5104, amended, to prohibit, as an unfair and deceptive act or practice in commerce, the sale or use of certain software to circumvent control measures used by Internet ticket sellers to ensure equitable consumer access to tickets for any given event; **Pages H5292–95**

Consumer Review Fairness Act of 2016: H.R. 5111, amended, to prohibit the use of certain clauses in form contracts that restrict the ability of a consumer to communicate regarding the goods or services offered in interstate commerce that were the subject of the contract; **Pages H5295–98**

Expressing the sense of the House of Representatives about a national strategy for the Internet of Things to promote economic growth and consumer empowerment: H. Res. 847, expressing the sense of the House of Representatives about a national strategy for the Internet of Things to promote economic growth and consumer empowerment, by a ⅔ yea-and-nay vote of 367 yeas to 4 nays with one answering ''present'', Roll No. 496; **Pages H5298–H5300, H5309**

Expressing the sense of the House of Representatives that the United States should adopt a national policy for technology to promote consumers' access to financial tools and online commerce to promote economic growth and consumer empowerment: H. Res. 835, expressing the sense of the House of Representatives that the United States should adopt a national policy for technology to promote consumers' access to financial tools and online commerce to promote economic growth and consumer empowerment, by a ⅔ yea-and-nay vote of 385 yeas to 4 nays with one answering ''present'', Roll No. 497; **Pages H5300–02, H5309–10**

Amateur Radio Parity Act: H.R. 1301, amended, to direct the Federal Communications Commission to extend to private land use restrictions its rule relating to reasonable accommodation of amateur service communications; **Pages H5302–04**

Agreed to amend the title so as to read: "To direct the Federal Communications Commission to amend its rules so as to prohibit the application to amateur stations of certain private land use restrictions, and for other purposes.". **Page H5304**

Sports Medicine Licensure Clarity Act: H.R. 921, amended, to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State; and **Pages H5304–05**

Advanced Nuclear Technology Development Act of 2016: H.R. 4979, amended, to foster civilian research and development of advanced nuclear energy technologies and enhance the licensing and commercial deployment of such technologies. **Pages H5305–08**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed.

Expressing support for the expeditious consideration and finalization of a new, robust, and long-term Memorandum of Understanding on military assistance to Israel between the United States Government and the Government of Israel: H. Res. 729, expressing support for the expeditious consideration and finalization of a new, robust, and long-term Memorandum of Understanding on military assistance to Israel between the United States Government and the Government of Israel. **Pages H5266–70**

U.S. Election Assistance Commission Board of Advisors—Appointment: Read a letter from Representative Pelosi, Minority Leader, in which she appointed the following individual to the U.S. Election Assistance Commission Board of Advisors: Dr. Philip B. Stark of Berkeley, California. **Page H5311**

Congressional Award Board—Appointment: Read a letter from Representative Pelosi, Minority Leader, in which she appointed the following individual to the Congressional Award Board: Mr. Steven L. Roberts of St. Louis, Missouri. **Pages H5311–12**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H5309, and H5309–10. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 9:47 p.m.

Committee Meetings

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Communications and Technology began a markup on H.R. 2566, the "Improving Rural Call Quality and Reliability Act of 2015"; and H.R. 2669, the "Anti-Spoofing Act of 2015".

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Health began a markup on H.R. 4365, the "Protecting Patient Access to Emergency Medications Act of 2016"; H.R. 1192, the "National Diabetes Clinical Care Commission Act"; H.R. 1209, the "Improving Access to Maternity Care Act"; H.R. 1877, the "Mental Health First Aid"; and H.R. 2713, the "Title VIII Nursing Workforce Reauthorization Act of 2015".

CLASSIFICATIONS AND REDACTIONS IN FBI'S INVESTIGATIVE FILE

Committee on Oversight and Government Reform: Full Committee held a hearing entitled "Classifications and Redactions in FBI's Investigative File". Testimony was heard from Peter Kadzik, Assistant Attorney General for Legislative Affairs, Department of Justice; Julia Frifield, Assistant Secretary, Bureau of Legislative Affairs, Department of State; Jason Herring, Acting Assistant Director for Congressional Affairs, Federal Bureau of Investigation; Deirdre Walsh, Assistant Director for Legislative Affairs, Office of the Director of National Intelligence; Neal Higgins, Director of Congressional Affairs, Central Intelligence Agency; James Samuel, Jr., Chief of Congressional Affairs, National Geospatial-Intelligence Agency; and Trumbull Soule, Director of Legislative Affairs Office, National Security Agency/Central Security Service.

HALT TAX INCREASES ON THE MIDDLE CLASS AND SENIORS ACT; VA ACCOUNTABILITY FIRST AND APPEALS MODERNIZATION ACT OF 2016

Committee on Rules: Full Committee held a hearing on H.R. 3590, the "Halt Tax Increases on the Middle Class and Seniors Act"; H.R. 5620, the "VA Accountability First and Appeals Modernization Act of 2016". The committee granted, by record vote of 7–3, a closed rule for H.R. 3590. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on

Ways and Means now printed in the bill shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions. The Committee granted, by record vote of 7–3, a structured rule for H.R. 5620. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Veterans' Affairs. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions in the bill. The rule makes in order only those amendments printed in the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the report. The rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Brady of Texas, Chairman Miller of Florida, and Representatives Levin, Takano, O'Rourke, Walz, Hastings, Cárdenas, Hahn, and Hinojosa.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, SEPTEMBER 13, 2016

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: business meeting to consider H.R. 2647, to expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, 10 a.m., SR–328A.

Committee on Armed Services: to hold hearings to examine encryption and cyber matters; with the possibility of a closed session in SVC–217, following the open session, 9:30 a.m., SH–216.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the National Flood Insurance Program, focusing on reviewing the recommendations of the Technical Mapping Advisory Council's 2015 Annual Report, 10:30 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security, to hold hearings to examine an original bill entitled, "Better Online Ticket Sales Act of 2016", 2:30 p.m., SR–253.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Agriculture, Subcommittee on Nutrition, hearing entitled "Past, Present, and Future of SNAP: Improving Innovation and Success in Employment and Training Programs", 10 a.m., 1300 Longworth.

Committee on Energy and Commerce, Subcommittee on Communications and Technology, markup on H.R. 2566, the "Improving Rural Call Quality and Reliability Act of 2015"; and H.R. 2669, the "Anti-Spoofing Act of 2015" (continued), 10 a.m., 2322 Rayburn.

Subcommittee on Health, markup on H.R. 4365, the "Protecting Patient Access to Emergency Medications Act of 2016"; H.R. 1192, the "National Diabetes Clinical Care Commission Act"; H.R. 1209, the "Improving Access to Maternity Care Act"; H.R. 1877, the "Mental Health First Aid"; and H.R. 2713, the "Title VIII Nursing Workforce Reauthorization Act of 2015" (continued), 2 p.m., 2322 Rayburn.

Committee on Financial Services, Full Committee, markup on H.R. 5983, the "Financial CHOICE Act of 2016", 10 a.m., 2128 Rayburn.

Committee on Homeland Security, Subcommittee on Border and Maritime Security, hearing entitled "Moving the Line of Scrimmage: Re-examining the Defense-in-Depth Strategy", 10 a.m., 311 Cannon.

Full Committee, markup on H.R. 5065, the "Bottles and Breastfeeding Equipment Screening Act"; H.R. 5346, the "Securing our Agriculture and Food Act"; H.R. 5459, the "Cyber Preparedness Act of 2016"; H.R. 5460, the "First Responder Access to Innovative Technologies Act"; H.R. 5728, the "Cuban Airport Security Act of 2016"; H.R. 5843, the "United States-Israel Cybersecurity Cooperation Enhancement Act of 2016"; H.R. 5859, the "Community Counterterrorism Preparedness Act"; H.R. 5877, the "United States-Israel Advanced Research Partnership Act of 2016"; H.R. 5943, the "Transit Security Grant Program Flexibility Act", 2 p.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on the Constitution and Civil Justice, hearing entitled "Exploring Federal Diversity Jurisdiction", 11 a.m., 2237 Rayburn.

Subcommittee on Courts, Intellectual Property, and the Internet, hearing entitled "Oversight of the U.S. Patent and Trademark Office", 1 p.m., 2237 Rayburn.

Committee on Natural Resources, Subcommittee on Indian, Insular, and Alaska Native Affairs, hearing on reviewing the economic impacts from the implementation of the Commonwealth-only worker program in the Northern Mariana Islands under Public Law 110–229, 11 a.m., 1334 Longworth.

Committee on Oversight and Government Reform, Full Committee, hearing entitled "Examining Preservation of State Department Federal Records", 10 a.m., 2154 Rayburn.

Subcommittee on the Interior, hearing entitled "21st Century Conservation Practices", 2 p.m., 2154 Rayburn.

Committee on Rules, Full Committee, hearing on H.R. 5226, the "Regulatory Integrity Act of 2016"; and H.R. 5351, to prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba, 3 p.m., H–313 Capitol.

Committee on Science, Space, and Technology, Full Committee, hearing entitled "Protecting the 2016 Elections from Cyber and Voting Machine Attacks", 10 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Investigations, Oversight, and Regulations; and Subcommittee on Contracting and Workforce, joint hearing entitled "The Cumulative Burden of President Obama's Executive Orders on Small Contractors", 10 a.m., 2360 Rayburn.

Committee on Ways and Means, Subcommittee on Oversight, hearing entitled "Back to School: A Review of Tax-Exempt College and University Endowments", 10 a.m., 1100 Longworth.

CONGRESSIONAL PROGRAM AHEAD

Week of September 13 through September 16, 2016

Senate Chamber

On *Tuesday*, at approximately 10:00 a.m., Senate will continue consideration of S. 2848, Water Resources Development Act.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: September 13, business meeting to consider H.R. 2647, to expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, 10 a.m., SR–328A.

September 15, Full Committee, to hold hearings to examine the nominations of Christopher James Brummer, of the District of Columbia, and Brian D. Quintenz, of the District of Columbia, both to be a Commissioner of the Commodity Futures Trading Commission, 10 a.m., SR–328A.

Committee on Appropriations: September 14, Subcommittee on Energy and Water Development, to hold hearings to examine the future of nuclear power, 2:30 p.m., SD–138.

Committee on Armed Services: September 13, to hold hearings to examine encryption and cyber matters; with the possibility of a closed session in SVC–217, following the open session, 9:30 a.m., SH–216.

September 15, Full Committee, to hold hearings to examine the long-term budgetary challenges facing the military services and innovative solutions for maintaining our military superiority, 9:30 a.m., SD–G50.

Committee on Banking, Housing, and Urban Affairs: September 13, to hold hearings to examine the National Flood Insurance Program, focusing on reviewing the recommendations of the Technical Mapping Advisory Council's 2015 Annual Report, 10:30 a.m., SD–538.

Committee on the Budget: September 14, to hold an oversight hearing to examine the Congressional Budget Office, 2:30 p.m., SD–608.

Committee on Commerce, Science, and Transportation: September 13, Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security, to hold hearings to examine an original bill entitled, "Better Online Ticket Sales Act of 2016", 2:30 p.m., SR–253.

September 15, Full Committee, to hold an oversight hearing to examine the Federal Communications Commission, 10 a.m., SR–253.

Committee on Foreign Relations: September 14, Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues, to hold hearings to examine protecting girls, focusing on global efforts to end child marriage, 9:30 a.m., SD–419.

September 14, Full Committee, to hold hearings to examine North Atlantic Treaty Organization expansion, focusing on the accession of Montenegro, 2:15 p.m., SD–419.

September 15, Full Committee, to hold hearings to examine Afghanistan, focusing on United States policy and international commitments, 9:45 a.m., SD–419.

September 15, Full Committee, to hold hearings to examine reviewing the civil nuclear agreement with Norway, 2:15 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: September 15, to hold hearings to examine the state of health insurance markets, 10 a.m., SD–342.

Committee on Indian Affairs: September 14, business meeting to consider S. 2796, to repeal certain obsolete laws relating to Indians; to be immediately followed by a hearing to examine S. 2636, to amend the Act of June 18, 1934, to require mandatory approval of applications for land to be taken into trust if the land is wholly within a reservation, S. 3216, to repeal the Act entitled "An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation", S. 3222, to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions, and S. 3300, to approve the settlement of water rights claims of the Hualapai Tribe and certain allottees in the State of Arizona, to authorize construction of a water project relating to those water rights claims, 2:30 p.m., SD–628.

Committee on Judiciary: September 14, Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts, to hold hearings to examine protecting Internet freedom, focusing on the implications of ending United States oversight of the Internet, 10 a.m., SD–226.

September 15, Full Committee, to hold hearings to examine S. 2763, to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis, S. 3155, to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title, S. 3270, to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases, and the nominations of Lucy Haeran Koh, of California, to be United States Circuit Judge for the Ninth Circuit, and Florence Y. Pan, to be United States District Judge for the District of Columbia, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: September 15, to hold hearings to examine the Federal response and resources for Louisiana flood victims, 10:30 a.m., SR–428A.

Committee on Veterans' Affairs: September 14, to hold hearings to examine the future of the Department of Veterans Affairs, focusing on examining the Commission on Care report and the VA's response, 2:30 p.m., SR–418.

Select Committee on Intelligence: September 13, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

September 15, Full Committee, to receive a closed briefing on certain intelligence matters, 2 p.m., SH–219.

Special Committee on Aging: September 14, to hold hearings to examine maximizing Social Security benefits, 2:30 p.m., SD–562.

House Committees

Committee on Agriculture, September 14, Full Committee, markup on H.R. 470, the ''Chattahoochee-Oconee National Forest Land Adjustment Act of 2015''; H.R. 845, the ''National Forest System Trails Stewardship Act''; and H.R. 5883, the ''Technical and Clarifying Amendments to the Packers and Stockyards Act of 2016''; and hearing entitled ''American Agricultural Trade with Cuba'', 10 a.m., 1300 Longworth.

Committee on Armed Services, September 14, Subcommittee on Seapower and Projection Forces, hearing entitled ''Next Generation Air Space Control—Ensuring Air Force Compliance by January 1, 2020'', 3:30 p.m., 2118 Rayburn.

Committee on the Budget, September 14, Full Committee, hearing entitled ''Growing Risks to the Budget and the Economy'', 10 a.m., 210 Cannon.

Committee on Education and the Workforce, September 14, Full Committee, markup on H.R. 5963, the ''Supporting Youth Opportunity and Preventing Delinquency Act of 2016'', 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, September 14, Subcommittee on Health; and Subcommittee on Oversight and Investigations, joint hearing entitled ''The Affordable Care Act on Shaky Ground: Outlook and Oversight'', 10 a.m., HVC–210.

September 14, Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled ''Disrupter Series: Advanced Robotics'', 10:30 a.m., 2322 Rayburn.

September 15, Subcommittee on Energy and Power, hearing entitled ''The Department of Energy's Role in Advancing the National, Economic, and Energy Security of the United States'', 10 a.m., 2322 Rayburn.

Committee on Foreign Affairs, September 14, Full Committee, markup on H.R. 5931, the ''Prohibiting Future Ransom Payments to Iran Act'', 10 a.m., 2172 Rayburn.

September 14, Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled ''Eritrea: A Neglected Regional Threat'', 2 p.m., 2172 Rayburn.

September 14, Subcommittee on Europe, Eurasia, and Emerging Threats, hearing entitled ''Turkey After the July Coup Attempt'', 2 p.m., 2200 Rayburn.

September 14, Subcommittee on Asia and the Pacific, hearing entitled ''North Korea's Perpetual Provocations: Another Dangerous, Escalatory Nuclear Test'', 3 p.m., 2255 Rayburn.

September 15, Subcommittee on the Middle East and North Africa, markup on H. Res. 220, condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights, 9:30 a.m., 2255 Rayburn.

September 15, Subcommittee on the Western Hemisphere, markup on H. Res. 851, expressing profound concern about the ongoing political, economic, social and humanitarian crisis in Venezuela, urging the release of political prisoners, and calling for respect of constitutional and democratic processes; and H.R. 5708, the ''Nicaragua Investment Conditionality Act of 2016''; and hearing entitled ''Nicaragua's Democratic Collapse'', 10 a.m., 2172 Rayburn.

Committee on Homeland Security, September 14, Full Committee, hearing entitled ''Shutting Down Terrorist Pathways into America'', 10 a.m., 311 Cannon.

Committee on the Judiciary, September 14, Full Committee, markup on H.R. 5992, the ''American Job Creation and Investment Promotion Reform Act of 2016''; H.R. 5982, the ''Midnight Rules Relief Act of 2016''; and H.R. 5801, the ''Protect and Grow American Jobs Act'', 10 a.m., 2237 Rayburn.

Committee on Natural Resources, September 14, Subcommittee on Federal Lands, hearing on H.R. 5780, the ''Utah Public Lands Initiative Act'', 10 a.m., 1334 Longworth.

Committee on Oversight and Government Reform, September 14, Full Committee, hearing entitled ''Examining the Affordable Care Act's Premium Increases'', 9 a.m., 2154 Rayburn.

September 14, Subcommittee on National Security; and Subcommittee on Government Operations, joint hearing entitled ''Radicalization in the U.S. and the Rise of Terrorism'', 2 p.m., 2154 Rayburn.

Committee on Rules, September 14, Subcommittee on Rules and Organization of the House, hearing entitled ''Members' Day Hearing on Proposed Rules Changes for the 115th Congress'', 10 a.m., H–313 Capitol.

Committee on Science, Space, and Technology, September 14, Full Committee, hearing entitled ''Affirming Congress'

Constitutional Oversight Responsibilities: Subpoena Authority and Recourse for Failure to Comply with Lawfully Issued Subpoenas'', 10 a.m., 2318 Rayburn.

September 15, Subcommittee on Environment, hearing entitled ''A Solution in Search of a Problem: EPA's Methane Regulations'', 10 a.m., 2318 Rayburn.

Committee on Small Business, September 14, Full Committee, hearing entitled ''IRS Puts Small Businesses through Audit Wringer'', 11 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, September 14, Full Committee, markup on H.R. 5011, to designate the Federal building and United States courthouse located at 300 Fannin Street in Shreveport, Louisiana, as the ''Tom Stagg Federal Building and United States Courthouse''; H.R. 5147, the ''Bathrooms Accessible in Every Situation (BABIES) Act''; H.R. 5873, to designate the Federal building and United States courthouse located at 511 East San Antonio Avenue in El Paso, Texas, as the ''R.E. Thomason Federal Building and United States Courthouse''; H.R. 5957, the ''Federal Aviation Administration Veteran Transition Improvement Act of 2016''; H.R. 5977, to direct the Secretary of Transportation to provide to the appropriate committees of Congress advance notice of certain announcements, and for other purposes; H.R. 5978, the ''Coast Guard and Maritime Transportation Amendments Act of 2016''; S. 546, the ''RESPONSE Act of 2016''; and possible other matters cleared for consideration, 10 a.m., 2167 Rayburn.

September 15, Subcommittee on Water Resources and Environment, hearing entitled ''A Review of Recently Completed United States Army Corps of Engineers Chief's Reports'', 9:30 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, September 14, Full Committee, hearing entitled ''An Examination of VA's Misuse of Employee Settlement Agreements'', 10:30 a.m., 334 Cannon.

Committee on Ways and Means, September 14, Subcommittee on Health, hearing entitled ''Exploring the Use of Technology and Innovation to Create Efficiencies, Higher Quality, and Better Access for Beneficiaries in Health Care'', 10 a.m., 1100 Longworth.

September 14, Full Committee, markup on H.R. 3957, the ''Emergency Citrus Disease Response Act''; H.R. 5946, the ''United States Appreciation for Olympians and Paralympians Act''; H.R. 5719, the ''Empowering Employees through Stock Ownership Act''; H.R. 2285, the ''Prevent Trafficking in Cultural Property Act''; H.R. 5879, to amend the Internal Revenue Code of 1986 to modify the credit for production from advanced nuclear power facilities; H.R. 5406, the ''Helping Ensure Accountability, Leadership, and Trust in Tribal Healthcare Act''; H.R. 5204, the ''Stop Taxing Death and Disability Act''; and H.R. 4220, the ''Water and Agriculture Tax Reform Act of 2015'', 3 p.m., 1100 Longworth.

Permanent Select Committee on Intelligence, September 15, Full Committee, business meeting on consideration of a Committee Report entitled ''Review of Unauthorized Disclosures by Former NSA Contractor Edward Snowden'', 9 a.m., HVC–304. This meeting will be closed.

Next Meeting of the **SENATE**

10 a.m., Tuesday, September 13

Senate Chamber

Program for Tuesday: Senate will continue consideration of S. 2848, Water Resources Development Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Tuesday, September 13

House Chamber

Program for Tuesday: Consideration of H.R. 3590—Halt Tax Increases on the Middle Class and Seniors Act (Subject to a Rule). Begin consideration of H.R. 5620—VA Accountability First and Appeals Modernization Act of 2016 (Subject to a Rule). Consideration of measures under suspension of the rules.

Extensions of Remarks, as inserted in this issue

HOUSE

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